

An abstract of all the
penal Statutes which be general, in force and
use, wherein is conteyned the effect of all those Sta-
tutes which do threaten to the Offenders thereof the losse of
life, member, lands, goods, or other punish-
ment or forfeiture whatsoever.

Whereunto is also added in their apt Titles, the effect
of all other Statutes, wherein there is any thing ma-
teriall and necessarie for eche
Subject to knowe.

Moreover, the Auethoritie and duetie of all Iustices, She-
rifes, Coroners, Eschetors, Maiors, Bailiffes, Customers, Comp-
trollers of Custome, Stewards of Leetes and liberties,
Hulnegers and Purueyors, and what things by the lets
ter of seuerall Statutes in force they may
ought, or are compellable to doe.

Collected by Ferdinando Pulton of Lincolnes Tyme, and by him corrected
and augmented since the Parliament holden
Anno 27. Regine Elizabeth.

DEVT. 17.8. &c.

If there rise a matter too hard for thee in Iudgement, in matters of controuersie within
thy gates, then shalt thou arise and come vnto the Priestles, vnto the Leuites, & vnto the
Iudges, and aske, & they shall shewe thee the sentence of Iudgement. Thou shalt not de-
cline from thence, neither to the right hand nor to the left. And that man that will doe
presumptuously, nor hearkening vnto the Priest that standeth before the Lord, or vnto
the Iudge, that man shall die, and thou shalt take away euill from Israel.

John Jackson



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Roll

Rob. Rolli decaſtichon ad lectorem.

En tibi pœnales ſcriptas pulchro ordine leges:
Queis mores formes inſtituâsque tuos.
Pœnales dixit, ne forſan temnere poſſes:
Pœna grauis vitam ne grauet ulla tuam.
Quicquid erat ſcitu dignû, quodcûque ſtatuta
Ante docent, mira tradit hic arte liber.
Adde quod in prœptu hic reperis, facilique la-
Quæ fuerât aliis mille petenda locis. (bore,
Pulſtono ſcopus eſt unus, meta una laboris,
Legibus ut bona ſit conſona vita bonis.

Rec. Aug. 25, 1702.

Forſ forſ
JC 99

¶ To the right worshipfull Sir William
Cordell Knight, Master of the Roules, Fardinan-
do Pulton wisheth long continuance of prof-
perous life, with great increase
of worship.



After the Romanes had banished their Kings, re-
moued their Consuls, and placed tenne principall
Magistrates called *Decemviri*, yeerely by turne to
gouerne their Citie, they sent iii. Embassadours to
Athens, and other Cities of Greece, to learne and
fetch them the Lawes of Solon, and other aunci-
ent rites, and ordinances of those Cities: which being brought to
Rome, were perused by the sayd ten Magistrates and the Senate, and
one by one were by them examined, sifted, & reformed according
to the time, their manner of gouernment, and the nature of their
people, and reduced into tenne Tables: Then were they published
to the whole multitude of the citizens, established by the 35. Tribes,
ingraued in pillars of Brasse, and set in a most open place of the Ci-
tie for all men to beholde, to the intent that eche man might at his
pleasure dayly peruse the same, and no wayes be ignorant of those
Lawes, which he was bound to obey. By which Tables and other
two shortly after thereunto annexed, the flourishing Romane Em-
pire was chiefly gouerned by the space of many ages, and they doe
remain the ground of the Ciuill Lawes vsed to this day in diuers
partes of the world. Euen so, when the mightie God of Iacob had
with diuers miraculous plagues punished the land of Egypt for his
elect people of Israels sake, caried them thorow the red sea, drowned
therein King Pharao and his hoste, sweetened the bitter waters for
them to drinke, sent them food from heauen, and brought them by
a cloudy pillar in the day, and a fierie pillar in the night vntill they
came to mount Sinai, he then gaue them dyuers commaunde-
ments, and made vnto them many lawes and statutes, concerning
due honour to be done vnto him, concerning their duetie to their
Princes, Magistrates, and Leuites, to their parentes, neyghbours,
and strangers, concerning the direction, order and guiding of their
wiues, children, seruants, landes, goods, and other things necessarie
for the vse of man. And then most straightly charged them, that the
same commaundements should be in their hearts, that they should
shew them vnto their children, that they should talke of them whe
they were at home in their houses, & as they walke by the way, when
they

Titus Livius
dec. i. lib. 3.

Dionys. Halic.
car. lib. 10.

Exod. 7. &c.

Deut. 11.

The Epistle.

they lie downe, and when they rise vp, that they should binde them for a signe vpon their hands, that they should be warnings betwixt their eyes, that they shoulde write them vpon the postes of their houses, and vpon their gates. And moreouer when they came into the land of promise, that they should set vp great stones in mount Ebal, plaster them with plaster, and write vpon them all the wordes of those Lawes. Which commandements Ioshua the seruauant of the Lord did after most faithfully perfourme. With which good examples and such like, together with the care of their subiectes by Almighty God to them committed, the vertuous Princes and gouernours of this Realme being mooued, haue not onely provided for the due obseruation of the Lawes of GOD within these their kingdomes and prouinces, piked forth the purest iuice and pithiest marow of the Lawes of the Romanes and other Regions, and from time to time by the aduice of their nobles and consent of their Commons, decreed, altered, and reformed the same according to the inclination of their subiectes, and disposition of the inhabitants of their Dominions, but also haue bene most carefull that those Lawes and statutes which were newly ordeined, should be in such sort published, spread abroad, and made knowen, that eche person bound to obey the same, might take knowledge of that whereby he was to liue, to receiue benefite, or sustaine losse, (alwayes intending that those lawes which the finger of God hath written in the heart of man, or nature infused into him vpon his first creation, or reason, the only cognisance of mankind, instilled into his brest, or which the auncient Maximes and customes of the realme, the very ground of all our common Lawes haue instructed him, be not to any Englishman hauing the cleare vse of *Synderisis* wholly vnknownen,) And therefore they haue provided that their Iustices of *Oyer & determiner*, their Iustices of Assise, & gaole deliuerie at their generall Assises, their Iustices of peace at their quarter Sessions, their Sherifes in their Turnes, their stewardests of Leets and Liberties in their Courtes (vnto which Assises, Sessions, and courtes, the greater number of people being aboue the age of xii. yeeres, are bound to resort) shoulde not onely openly declare what Lawes and statutes haue bene made for the punishmēt of seuerall great offences, but also should execute the paines and penalties of the same vpon the transgressours therof: that the chastisement of some might be to others a learning to knowe the same Lawes, & also a warning to them to auoyde the danger thereof. And further they haue foreseene, that some special statutes which
be most

The Epistle.

be most dangerous, & into the perill whereof the ignoraunt people are likest to slide, should be openly read in the foresaid Courtes, that the hearers thereof should not only vnderstand themselves, but also instruct their neighbours at home, of those most penall lawes, and of the great daungers thereof. And for that cause King Ed. 1. ordayned ^{25. Ed. 1. 3.} by Parliament, that the statute of *Magna Chart and Charta Forest.* ^{7. R. 2. 6.} should be openly read in Churches. King R. 2. decreed that the statute of Winchester should be openly proclaimed by euery Sherife of England in his proper person foure times in the yere in euery Hundred within his countie, and by his Bailifes in euery market. K. H. 6. ^{1. H. 6. 2.} enjoyned euery Sherife vpon a great paine, that hee should iiii. times euery yeere through his Bailiwicke, proclaime certaine statutes provided for Purueyors. King H. 8. commaunded that the statute ^{20. H. 6. 8.} made for the maintenaunce of Artillery and debarring of vnlawfull ^{33. H. 8. 9.} games, shoulde bee openly proclaimed euery quarter once, by all Maiors, Bailifes, Sherifes, and other head Officers: And that Iustices of Gaole deliuey, Iustices of assise, & Iustices of peace, should cause the same to be proclaimed in the sessions holden before them Q. M. ^{1. M. 12.} provided that the stat. made against vnlawful and rebellious assemblies, shoulde bee published at euery quarter Sessions, and at euery Leete & Lawday. And our Soueraigne Lady Q. El. hath by authori- ^{5. El. 1.} tie of Parliament established, that the stat. ordained for the assurance of her Maiesties royall power ouer all states and subiects within her dominions, shoulde bee openly declared at euery quarter Sessions, and at euery Leete and lawday, and once in euery Terme in the open Hall of euery house of court & Chauncery. So that in the place of prayer, in the place of Iustice, and in the place of seeking our priuate commoditie, our princes haue deuised to sound into our eares, and to imprint into our memorie the effect of the foresayde lawes, with the fruites that bee promised to the obseruers, and the punishments which be threatned to the infringers thereof. And sometime, finding time to worke forgetfulnesse; or their lenitie to encourage slacknes in their subiects of due obseruance of some special statutes, they doe with a fatherly care by Commission, proclamation, or some other meanes, gently put them in remembrance therof, requesting, perswading, and as it were vpon their blessing charging them that they would doe the partes of good children, & obediently obserue those ordinances which were decreed by their owne or their ancestors consent. Besides all this, they haue caused to be printed the foresaid statutes with their preambles, declaring the speciall consi-

The Epistle.

derations of the making of a newe, abrogating, altering, or reforming an olde lawe, to the intent that euery one which desireth to knowe, may reade, and thereby perceiue the cause, and contents of the same. So that our worthy Princes haue played the partes of Gods good Lieutenautes in these their regions, they haue layde a foundation of al their statuts and decrees, the word, and euerlasting Testament of the Almighty, they haue vsed those lawes of the Romanes, Grecians, Saxons, Normans, and other Countries, which be most correspondent to the ordinaunces of God, consonant to reason, and agreeable to the inclination of their subiects, they haue in- deuoured themselves further to publish them, then ingrauing in brasse, or writing in stone setled in one place certaine, can do. Whereby is plainly declared, not onely their great foresight to make good lawes, but also their speciall care to notifie the same, that ignorance might not excuse offendours, nor want of notice, leade awry such as are willing to liue in order. But because the Gouvernours of this state, from time to time carefull to prouide such lawes, as were most commodious for the weale publique, haue beene enforced to trie many, to continue diuers, to alter and reforme some, according to the disposition of the wauering minded people, fertilitie of the soyle, quietnesse of the gouernement, friendshippe of the regions adioyning, and other accidentes and circumstaunces whereunto our humane nature is subiect, by that necessarie meanes our statute lawes are growen to bee many, some much differing, and some meere contrary and repugnant to others: for sithence the time of King H. 3. (in the ninth yere of whose reigne Magna Charta the first statute that we haue in print, was made) there haue beene a great number of statutes written, some in Latin, some in French, some ordeined to be in force for one Kings time, some for another, some repealed in part, and confirmed in part, some repealed by speciall, and some by generall words, as by iii. branches of three seuerall statutes, there bee at the least 120. other statutes and braunches of statutes repealed. So that time hath wrought tryall, much tryall hath procured a number, a number prouided at seuerall times, by seuerall persons, and to seuerall endes, hath brought in some question which bee in force, and which not, and thereby imprinteth feare to many willing mindes to reade, and discouragement to vnderstande those lawes, which otherwise they woulde in their knowledge imbrace, and in their deedes obey. Whereupon considering with my selfe, howe careful our princes haue bene in al ages to
prouide

The Epistle.

prouide good lawes, how mindfull to publish them, and how de-
 sirous to see them obserued: And againe remembring how ioyfull
 euery good subiect is of good lawes, howe readie to learne them,
 and howe obedient to execute them, and that the prince and the
 subiects doing their parts, onely time (the beginner, increaser and
 subuerter of humane policies) hath wrought some defects, and pro-
 cured some difficultie in vnderstanding of our statute lawes, euer
 meant to be most plaine and easie to conceiue: I therefore (Right
 worshipfull) haue vndertaken to publish in our English tongue, the
 most effectuall statutes which be generall, and at this day in force
 and vse, together with those statutes which doe limit the authoritie
 and duetie of Iustices of peace, Sherifes, and certaine other necessa-
 rie Magistrates, and which doe teach them how to rule, and howe
 to obey. Wherein my meaning in the beginning of mine enterprise,
 was to set downe no other statutes but which bee to all, or at
 the least, to some intentes in force, and not any which eyther be
 wholly repealed, or whereof the vse to all intents is taken away,
 hauing an earnest desire, and a speciall good will to collect all those
 statutes, and braunches of statutes, which be receiued as Lawe
 and in force at this day, and none but which be in force and allowed
 for Lawe. But sithence Salomon him selfe proclaymeth that Eccles. 1.
 mans wisdom is vnperfect, and his knowledge in eche Science
 vncertaine: Therefore I being vtterly destitute of that wisdom,
 and but of slender knowledge in the lawes wherein I deale, ney-
 ther may, doe, nor will presume to thinke that by any meanes I
 am able to performe my desired enterprise, or to bring to perfecti-
 on this so waightie a matter, and so intricate a cause: For though
 I may say with Saint Paul, *Nihil mihi conscius sum*, I know not what 1. Corin. 4.
 I haue mistaken, or wherein I haue erred: yet will I not dare to
 report, or be encouraged to affirme that my woorke is perfect, or
 that I haue fully perfourmed my Title, and long wished attempt.
 And for that cause, standing in doubt whether I were best to con-
 ceale many trueths, or aduenture to report some errors: The
 learned Philosopher *M. Tullius* whispered in mine eare, *Quod falli,*
decipi, errare, humanum est, and telling me, (so farre as his prophane
 knowledge extended) to what vse I was borne, and to whose
 benefite I shoulde liue, he pressed me to hazard some part of my
 credite to doe my Countrey and Countreymen good, auowing by
 all his goods, that if the valiant *Horatius Cocles* had not aduentured
 his life, and the lingring *Q. Fabius* his honor, for the benefite of their
Liu. dec. 1.
lib. 2.
Liu. dec. 3.
lib. 2.

The Epistle.

Countrey, it is like that Rome and the Name of Romanes had bene clere extinct long time before the Romane Monarch began. But as it hath pleased you (Right worshipfull) for the zeale you beare vnto Iustice, the care you haue of your Countrey, and the good wil you owe vnto euery good subiect, to be a furtherer of all honest and vertuous proceedings, and amongst others to encourage me in this my trauaile, and to assist me with your sage aduice: so if in continuing your said affection, you will vouchsafe to become amongst vs, an other Iustinian, you shall doubtlesse finde *Tribonian* and many of his felowes ready with reuerence to attempt your wholesome directions, & execute your lawfull deuices, & willing not onely to remoue those imperfections, which by my weakenes of iudgement, or slacknesse of consideration haue happened in this treatise, but also to polish and reforme the necessarie workes of seuerall wise and learned men in the lawes of this Realme, wherein time hath wrought some defects. And as experience, and diuers writers do tell vs, that the name of Iustinian remayneth famous to this day in most ciuill Nations vnder Heauen, for onely causing other men to collect into order, and a small number of bookes, the ciuill lawes ordeyned by other Princes: So you by procuring to be reduced into some perfect Method the confused number of our lawes provided in seuerall ages, in seuerall maner of governments, vpon seuerall causes, and to seuerall endes, may purchase to your selfe perpetuall renowme of all Englishmen, whilest these our English lawes shall rule them. And as we, which now enjoy the benefites of your trauaile in place of Iustice, doe worthily esteeme you being liuing, so shall our posteritie yet vnborne, tasting the fruites of your said industry, and receiuing instruction by your direction, reuerence your name by the space of many generations, after your soule shall rest in ioy.

From Lincolnes Inne by
your worships to vse,

Ferdinando Pulton.

The Table.

A	Abettors.	S. Ap- peales, 5.	Apparell.	17	97.98.99. Wales, 56.
Abbies &c.	S. Monaste- ries.	Appeales and prouocati- ons.	20	9.	Ancient demesne, s. Assise,
Abilitie & non abilitie.	1	Appeales of Felonie.	22	Autowrie.	33
Abiuration. s. Sanctuarie	1	Apprentice, s. Laborers,		Autowson, s. Aduowson,	
Abidgemets of plaines.	1	Appropriations, s. Ecclesi- astlicall persons,	33	B.	
Accessarie. s. Appeale.	3	Approuers.	22	Badge. s. Lineries and	
Accions popular	1	Approuements.	22	Retaynors, s. Sanctua- rie, 12.	
Accomptants and debtors	3	Archerie.	23	Badger, Lader, Carper,	
to the Queene.	3	Armour.	24	Drouer.	34
Accompt.	11	Arrowheads.	26	Bayle, s. Mainprise.	
Accusation.	11	Arrests.	26	Baylife in assise. s. Assise,	
Additions.	12	Artificers.	26	10.	
Adiournemets, s. fines.	11	Assaults & frapes, s. Figh- ting, &c.		Baylifes of Franchises,	
Admeasurement.	12	Assettes. s. Accomptants		Liberties and Townes.	
Administrators.	12	to the Queene, 6.		See Corporations and	
Admirall, Admiraltie.	13	Assise.	27	Franchises, 1. 3. & She- rifes, 30.	
Ad quod damnum.		Assise of Bread and Ale.		Bailifes of hundreds. See	
S. Mortmaine, 10.		s. Weights, 15.		Sherifes, 17. 19. 27. 28.	
Aduowson.	33	Assise of varraine present- met, s. Aduowson, 3. 7. 8.		Wales, 50.	
Age.	13	Association, s. Discontin- uance of proces, 2.		Bakers. s. Artificers 1. vi- tailers, 4. Waighes, 15.	
Ayde to marry the daugh- ter &c.	13	Wales, 6.		Banques, s. Sewers,	
Ayde of the Queene.	14	Attachment, s. Marches.		Bankrupts,	35
Aiel, s. Cofinage.		Attachment vpon prohibi- tion, s. Prohibition, 5.		Barbours. s. Surgeons, 3.	
Ale and Beere, s. Bruers & Weights, 15.		Attaint.	29	4. 5. 7.	
Alehouse.	14	Attorney.	31	Bargaine & sale of lands.	
Alienation without licēce.		Attournement, s. Fines, 23.		S. Accomptants to the	
s. Prerogatiue, 7. 8.		Auditor and Receiuer.	32	Queene, 30. Bankrupts,	
Aliens.	14	Auerment, s. Returne,		2. Inroulements.	
Almes, s. poore people.		&c. 8.		Barke.	37
Ambidexter, s. Iurors, 6.		Augmentations, s. Mona- steries, 12.		Barrettors. s. Iustice of peace 18.	
Amendment, s. Records, 12		Aulneger, Aulnage.		Bastardie.	37
Demurrer, 2. 3. Fines,		Draperie, 53. 87. 88. 89.		Beades, s. Rome, 5.	
28. 37.		90. 91. 92. 93. 94. 95. 99.		S. Bedding, s. Vpholster.	
Amercement,	17			Beggars. s. poore people	
Apparance.	17			and Vagabondes.	

The Table.

Bell metall,	S. Brasse,	Canons, s. Couocation. 2.	Ecclesiasticall.
Benefices, s. Ecclesiastical	Calculation, s. Newes. 7.	Clerke of the crowne, s.	
persons.	Captaines, Souldiers,	Certificat of Conuicts.	
Beere, s. Alehouse and	Musters. 46	Clerke of the market. 56	
Brewers.	Cappes, s. Hattes.	Clerke of assise. 56	
Berwicke. 38	Castles & fortresses. 48	Clerke of the signet, and	
Besamel, s. Cofinage.	Cattell. 49	pruue seale. 56	
Buying of titles, s. Main-	Cause to remoue plee. s.	Clerke of the peace. 56	
tenance. 7.	Remouer, 1. Repleuin 2.	Clerke of the Eschequer.	
Bigamy, s. Clergie. 15.	Certificate of Conuictes.	s. Eschequer. 12.	
Bishops. 38	49.	Clerke of the petty bag, s.	
Bloodshed, s. Fighting. 1.	Certificate of Assise, s. Al-	Office. 5. 6.	
Bookes. 39	lise. 10.	Clerke of the Sewers, s.	
Boates, Boatemen. 39	Cercioare, s. Corpus cum	Sewers. 14. 15.	
Bowes and bowstaues. 41	causa, 1. Remouing,	Clerke of the Sherife, s.	
Bowling, s. Playes. 4.	&c. 1.	Sherifes. 4.	
Brasse, Latten, Copper, & Cellauc.	50	Clerkes of the statute, s.	
Belmettall. 42	Challenge. 50	Statutes. 2. 8. 13.	
Bread, s. Weightes. 15.	Champertie, s. Maynte-	Clothes, s. Draperie.	
Bridges. 43.	nance.	Coferer to the D. S. Ac-	
Brokers, s. Vsury. 7.	Chappels, s. Monasteries.	comptants to the	
Woolles. 10.	14. 15.	Queene. 29. 35.	
Bruers. 44	Chappels, s. Ecclesiastical	Coyne, s. Money.	
Buggerie, s. Felonie. 9.	persons. 19. 20. 22. 23.	Coles, s. Fuel, 1. Woods.	
Buckstalles, s. Hunting. 3.	Charter, s. Pardon.	26.	
Bullion, s. Money. 2.	Chauntries, Colledges,	Collector. 57	
Bulles of Absolution, s.	Chappels, and Hospi-	Colledges, s. Monaste-	
Rome. 2.	talles, s. Monasteries.	ries. 14. 15.	
Burglarie, s. Clergie. 10.	Cheese, s. Butter.	Common, s. Approuemet.	
12.	Chester and Cheshire. 52	Commission and Com.	
Burning. 44.	Churches, s. Ecclesiastical	missioners. 58	
Burning through the	persons. 31. 32. 33.	Condition, couenant. 58	
care. s. Vagabondes. 4.	Churches, s. Sacraments,	Condits. 58	
Butchers. 44	&c. 11.	Coniuration. 58	
Butler to y ^e Queene. 45	Churchyard, s. Ecclesiast,	Cogregation & Chapters.	
Butter and Cheese. 45	persons. 34.	s. Aliens. 11. Felony. 22	
Buttes. 46	Cheirographer. 53	Conspiracie. 59	
C. V.	Citation. 53	Constables of Castels, s.	
Calues, s. Cattell, and Clergie.	53	Castles. 3. and Puruey-	
Butchers. 2. 4.	Clergie of England. See	ours. 6.	
	Chidney fighting 2.	Constat.	

The Table,

Constat, s. Exemplificatio.	Custos Rotulorum,	70	Doyniches, s. Couerlers.	5
Constitution, s. Conuocation, 2.	Customes, subsidies.	71	Dowlas and Lockeram,	
Consultation, s. Prohibition, 8, 9, 10.	Cutpurse, s. Clergie, 1.		s. Linnen cloth,	
Contra formam collationis, s. Cessauit, 3.	Cutting Damnes, heads of poudes, Condit. &c.		Dower,	79
Contribution, s. Willes, 18	s. Fish, 7.		Draperie,	81
Contra formam Feoffamenti, s. Suit of Court, 1	D,		Dying and dyers,	93
Conuocations,	Damages,	74	Drawlatch, s. Felonies,	
Conuolance, s. Assise, 9.	Dapes of grace, s. Re- ceite, 2,	35.		
Cookes, s. Butchers, 7.	Darraine presentment, s. Aduowson, 3, 7, 8.		Drawing of Forrestes and commons, s. Horses, 7,	
Artificers, 1.	Decies tantum, s. Iurors, 5.		Dures, s. Felony, 17.	
Coparceners, s. Particion,	Deedes & writings, s. Inroulements,		Dutton, s. Poore, 19.	
Copihold, s. Bankrupts, 3.	Deuizens, s. Aliens.		Durham, s. Fines, 12.	
Monast, 11, 23, Fugitiues, 3, Ryots, 22, Iurors, 14.	Deodandes, s. Coroners, 10.		Inroulements, 4.	
Copper, s. Brasse.	Debt to the Queene, s. Accomptants to the Queene,			
Cordioners, s. Lether,	Deuise, s. Willes,		E.	
Coze and Graine,	Demurrer,	76	Eares,	94
Corpus cum causa,	Dilapidations,	76	Ecclesiastical persons and livings,	94
Corporation,	Discent, s. Entric,	76	Ecclesiasticall iurisdiction s. Queene, 3.	
Coroners,	Disceipt,	77	Ecclesiasticall lawes, See	
Cosinage,	Discontinuance of right, s. Women, 1.		Periurie, 3, Vsurie, 9.	
Costes, s. Damages,	Discontinuance of proces,	77	Egges, s. Wildfoule,	
Couenants, s. Condition,	Dismes, s. Ecclesiast, 28,		Egyptians,	102
Couerlers,	& Tenthes,		Eiectment of ward, See	
Counterfaiting of letters,	Dispensations,	78	wards, 2.	
private tokens,	Disseisin, s. Assise,		Election, s. Corporations,	
Coupers,	Distresse,	78	5, 29.	
Countie of shire court,	Divine seruice, s. Sacraments,		Elegit, s. Execution, 1.	
Crosbowes, s. Gunnes,	Dogges, s. Forrestes, 6.		Embacery, s. Iurors, 5.	
Crosses, s. Rome, 5.	Hunters, 1, Purueyors,		Maintenance, 3, 4, 6.	
Crowes, Rookes,			Engrossers, s. Forestallers	
Choughes,			3.	
Crowne, s. Queene and prerogatiue,			Enquestes, s. Iurors,	
Cui in vita, s. Women, 9.			Entric,	103
			Entric with force, s. Forcible entry,	
			Errour,	103
			Escape,	

The Table.

Escape.	104	First fruites, s. Ecclesiast.	24, 25.	G
Exchange, s. Money, 1.	104	Fish and Fishers.	128	Gale and gayloze, s.
Eschequer.	104	Fishdaies.	131	Prisons.
Eschete, s. Prerogative, 16	105	Flare, s. Hempe.		Gardeine, s. Wardes.
Eschetoze.	105	Flesh, s. Butchers, 7.		Gauelkinde, s. Preroga-
East March, s. Marches.		Flockes, s. Draperie, 60.		tive, 16.
Estouers, s. Assise, 1.		Folde course, s. Sheepe, 11.		Gauging, s. Fish, 12, wine
Estrepiement, s. Waste, 2.		Foolles, Lunatike & mad-		16, 17.
Estretes.	106	men, s. Prerogative, 10.		Gigge milles, s. Draperie
Exaction, s. Extortion.	107			69.
Excommunication.	107	Force, and Forceible en-		Guilds, s. Monasteries, 14
Execution.	107	trie,	132	Godalming, s. Labourers.
Executors.	108	Forests, Chases, Parkes,	18.	
Exemplification.	109	Warrens.	132	Gold, Silver, and Gold-
Exigent & outlawry.	109	Forfaitures.	134	smiths.
Ex parte talis, s. Accopt, 2.		Forfaiture of marriage, s.		142
Extorcion, exaction, 112		Wardes, 6.		Gunnes, and Crosbowes.
				143
Faires & markets.	112	Forging of deedes & wi-		Grant serleanty, s. Prero-
Falle iudgement.	114	tings.	134	gative, 8.
Falsifying of Recoueries.		Forestallers, Ingrassers,		Graunts, s. Patents.
s. Recoueries, 5, 8, 9.		Regrators.	135	H
Farmes.	114	Fortresses, s. Castels.		Habeas Corpus, s. Re-
Fasting daies, s. Fishdaies		Foundations, erections,		mouer, 1.
Fawcons, s. Hawkes.		tc. s. Mortmaine, 6.		Halifax, s. Woolles, 5.
Fealtie, s. Homage.		Fayres, s. Assaultes,		Hallers & Cables, 46.
Fessment, s. Force, 3		Fraternities and guildes,		Handgunnes and Harque-
Felles, s. Custome, 1.		s. Monasteries, 14.		buts, s. Gunnes.
Marchandise, 4.		Fraunchises and Liber-		Handicrafts, s. Aliens.
Felonie.	114	ties.	137	13. & Labourers.
Felants.	118	Fraudulent deedes.	138	Haruest, s. Labourers, 13.
Fetherbeds, s. Vpholster.		Freechappell, s. Monaste-		Hattes and Cappes, 145
Fien facias, s. Execution, 1.		ries, 14, 15.		Hawkes.
Fifteenes.	118	Freeholde.	140	Hauens & Rivers, 148
Fighting and quareling.	119.	Fresh suit, s. Felonie, 33.		Hauerford west, s. Wales,
		Frie, s. Fish, 3.		85.
Fine for alienation,		S. Fuel.	140	Hempe and Flaxe, 148
Willes, 8, 16.		Fullers, s. Draperie,		Herors, 148
Fines.	120	Fugitiues.	140	Hera & Heramshire, 148
Finours, s. Gold, 1.		Fustians.	142	Highwayes, 149
				Hogs, s. Woods, 19, 23.
				Homage

The Table.

Homage and fealtie. 151	testaments. on. 211
Honie. 152	Jointenancie. 168
Hops, s. Husbandrie. 13	Jointenants. &c. s. Partiti-
Hornes and horners. 152	on 2. 64.
Horsehead, s. Inholders, 2.	Jointure. s. Dower. 4.
Horses, Hares. 152	Iron. 168
Hospitals. 156	Issues. s. Returnes. 4.
Hostelers, Hostries, See	Inuris vtrum. s. Quod per-
Inholders. mittat.	Lockeram. s. Linnen
Hunters and hunting. 158	Jurors, Juries, and En-
Husbandrie and tillage. 158.	quests. 169
I.	Justice of Assise. 175
Demptitate nominis. s.	Justice and right. 176
Sherifes, 23.	Justice of peace. 176
Ideotes. s. Prerogative. 10	Justices of the Forrest, s.
Jeofaile. 162	Forrests, 8.
Ile of Wight. s. Farmes.	K.
I.	Kings children, s. Abili-
Impositions, See Extorti-	tic. 1. Queene. 12. 14.
on.	L.
Inclosures. s. Approue-	L Abourers & servants
ments.	195.
Jesuites. 163	Lancaster. 201
Incontinencie. 165	Lapse. 202
Incumbent. 165	Last of Herring. s. Fish, 23
Indicavit. s. Aduowson. 9.	Latten. s. Brasse. 225.
Prohibition. 4.	Lawes Ecclesiasticall. See
Indicements. 165	Ecclesiasticall.
Infants. s. Age.	Leases. 202
Information. s. Actions	Leetes, Liberties. 203.
popular.	Lether, &c. 205
Inholders. 166	Letters patents. s. Patets.
Inquisitions. s. Offices.	Libel. s. Prohibition. 8. 10
Inroulements. 167	Libertate probanda, See
Intrusion. s. Prerogative	Villanage. 1.
13.	Liberties. s. Franchises.
Inuentorie. s. Probate of	Licences. s. Fish dayes, 5. 6
	Badger. 1.
	Limitation of prescripti-
	on. 211
	Linnen cloth. 212
	Listes of cloth. s. Draperie
	64.
	Livrie, and ouster le
	maine. 212
	Livries & retainers. 214
	Lockeram. s. Linnen
	cloth. 1.
	Lunatique. s. Prerogative.
	11.
	M.
	M. s. Coroner.
	8.
	Maynprise and bayle. 216
	Maintenance, Champer-
	tie. 220
	Mayors Bailiffes, and
	head officers of cities,
	boroughes & Townes.
	s. Corporations.
	Marchants. 222
	Marches. 225
	Mariners. 225
	Markets. s. Faires. 225
	Marshall and Marshallie.
	225.
	Masons. s. Felonie. 22.
	Master and Servant. See
	Labourers.
	Misprision. s. Treason. 8
	Rome. 8.
	Matrimonie. 226
	Mesue. 226
	Monasteries, Colledges,
	Freechappels, Chaun-
	tries. 227
	Money. 236
	Monmouth. s. Wales. 78
	Moreauncester. 237
	Port

The Table.

Portmaine.	237	Duffer le main. S. Livery.	Pluralities. s. Ecclesiast.
Portuaries.	238	Open. s. Cattell.	18. 19. 20.
Multipling. s. Felonie.		P	Poysoning. s. Felonie. 32.
21.		Pannell. s. Iurors.	Murder. 5.
Murder and Manslaugh-		Packer of wools. See	Ponds. s. Fish. 7. Riots. 17.
ter.	239	Wools. 8.	20. Approvements. 7.
Musters. s. Captaines.		Parkes. s. Forests.	Poor people. 259
		Pardon. 246	Prerogative. 265
N.		Parliament 247	Preachers. 267
N Act in partibus trans-		Partition and parceners.	Premunire. provision. 268
marinis. s. Ability. 1.	249		Prescription. s. Limitatio.
Naue. s. Shippes.		Passages. s. Boates.	Priests. s. Ecclesiast.
Nets. s. Fish. 4. Hauens. 2		Patents and patentma-	Primer seisin. s. Preroga-
Newes. 240		kers. 250	ture 3.
Nisi prius. 242		Patents. 250	Principall and accessarie.
Nonage. s. Age.		Peace. s. Iustice of peace.	s. Appeales 3.
Non omittas. s. Returne		Pedlers. s. Vagabondes. 1.	Prioritie. s. Wards. 14.
&c. 3.		Peine hard and straight. s.	Prison. prisoners. 270
Non residence. s. Ecclesi-		Felonie. 36.	Probate of testament. 271
ast. 21. 22. 23.		Pelts. s. Lether. 32.	Procheyne amy. s. Age. 3.
Non suite. s. Damamages.		Pencion. s. Ecclesiast. 13.	wardes. 8.
1. 6.		Peremptory. s. Challenge	Proclamation vpon Exi-
Non tenure. 243		10. 11.	gent. s. Exigent. 5.
Notwich. s. Couerlets. 5.		Periurie. 252	Procurement. S. Repleuin.
Wools. 4. Worstedes. 8.		Pernoz of profits. s. Fines. 4.	
Yarne. 1.		6.	Prohibition and consulta-
		Person. bicar. s. Ecclesiast.	tion. 273
O		Pewter. Basse. 253	Prophecies. 275
Office. Inquisition. 243.		Physitions. 255	Protections. 275
Offices and officers. 244		Pillory. s. Weights. 15.	Provision. s. Premunire.
Oyle. 245		Pipowders. s. Faires. 3.	Purgation. s. Clergie. 18.
Ordinarie. 245		Piracie. 257	Purueiours. 276
Ophanes. s. Vsury. 10.		Placardes. s. Playes. 2.	Q
Women. 11.		Playes and games. 258	Vare impedit. 281
Othe. s. Faires. 3. Freehold		Plate. s. Gold and Money.	Quarentine. s. Dower.
1. Iustice of peace. 4.		Pledges. s. Statutes. 1.	1.
Queene. 4. Purueiours. 7.		Plenarie. See Aduowson	Queene. Crowne, su-
20. Sewers. 4.		Plaints. s. Abridgement	preme gouernment. 281
Otemeale. 246		of plaints.	Quinzime. s. Fisteenes.
			Quod permittat. 289
			Rape.

The Table.

R		Riots, Routes, unlawfull	Hope vessels.	328
Rape.	289	assemblies.	396	Souldiers, s. Captaines.
Rauiſhmēt of wardes		Riuers, s. Hauens.		Slaunder. s. Newes, Pro-
s. Wards. 4. 5.		Robberie, s. Felony. 33. 35		hibition.
Rebellion, s. Riots. 16. &c.		Roges. See Vagabondes.		Spicerie, s. Marchantes, 1
Receipt.	289	Rome.	301	Spirituall. &c. S. Ecclesi-
Recepuors, s. Auditors &		Ropes, s. Cables.		ast, &c.
Accomptants. &c.		Rumors, s. Newes,		Stalking, s. Hunting. 4.
Recognisances, s. statutes.		S.		Staple, s. Statutes. 4. and
Recordare, s. Repleuin. 2.		Sacraments and seruice		Wools.
Records.	290	diuine.	303	Statutes and recognisan-
Recoueries.	290	Safecondites.	305	ces.
Reconciliation, s. Rome. 7.		Saint Johns, s. Abilitie, 3		Steele.
Recusance. See Ecclesiast.		Sanctuarie and abiurati-		327
29.		on.	306	Stewards of leete. See
Redisseisin.	292	Scavage, s. Marchants, 2.		Leetes.
Regratozs, s. Forestallers,		Scholemaster, s. Sacra-		Strangers, s. Aliens.
3.		ment, 12.		Surgeons, s. wrecke, 1.
Reliefe.	292	Scotland, s. Corne, 1. Fe-		Succession, s. Queene, 19
Religious houses, S. Mo-		lonic, 1. Horses. 14.		Suertie, s. Statutes, 1.
naſt.		Scriueners, s. Aliens, 13.		Suffragans, s. Ecclesiast,
Religious persons, s.		Second deliuerance. 309		20. 22.
Ability. 3.		Secunda superoneratione		Suggestion.
Remouing of persons, of		pasturaz, s. Admeasure-		327
records.	293	ment, 2.		Supremacie, s. Queene.
Rents.	292	Sequestration, s. Ecclesi-		Surgeons.
Repleder, s. Icofaile,		astically. 9.		328
Repleuin.	293	Search, s. Ayde of the		Swanimouts, s. Forrests.
Residence, s. Ecclesiastical,		Queene. 3. Trauerſe, 4.		2.
21. 22.		Seruant, S. Laborers,		Suit of Court.
Reasonable ayde, s. ayde,		Seruice, s. Sacraments.		329
&c.		Sessions, s. Laborers, 29.		Swannes.
Restitution.	294	Seuerne, s. Boates. 9. 10.		329
Retainors, s. Lineries.		Sewers.	309	Swine, s. Woods, 19. 23.
Returne of Shcrifes. 294		Sheepe.	314	T.
Returne of cattell, s. Re-		Ships and Shipping.	316	Tales de circumſtanti-
pleuin.		Shirifes.	317	bus, s. Iurors, 21. 22. 23.
Richmond, s. Probate of		Shooting, s. Archerie,		24.
testaments 14.		Silke.	323	Tayle.
Right, s. Iustice and right,		Siluer, s. Gold.		329
				Tallowe, s. Lether.
				33.
				Tame beastes.
				330
				Tanners, s. Lether.
				Taxes. See Fifteenes.
				Teller of newes, s. Newes
				Tenches
				330
				Tenure.

The Table.

Tenure.	331	Verdict, See Forrefters.	7.	Warrant of Atturney, See	
Testaments, S. Willes.		Jurors.	32.	Atturney.	12. 13.
Testimonial, S. Laborers.		Vessels, S. Coopers.		Waste.	380
7. vagabonds and poore		Vicars, S. Ecclesiast.		Watch and ward.	380
people.		View of frankpledge, See		Watermen, S. Boats, Ma-	
Thummes, S. Yarne.		Leete,		riners,	
Tillage, S. Husbandry.		Villenage.	350	Ware,	381
Tiles.	332	Visitation. S. Hospitalles,		Weights and Measures.	
Tinkers, S. Vacabonds. 1.		Ordinary. 3.	382		
Tinne, S. Brasse, pewter.		Vitales, and vitailers.	350	Weinlings, See Butchers	
Tythes.	332	Union of Churches, S. Ec-	3.		
Tolle.	337	clesiastical. 31. 32. 33.		Weares.	384
Tonnage and pondage, S.		Uniuersities. S. Purueyors.		Weauers, S. Draperie. 75.	
Customers.		32. Leases. 45. Iustices of	76. 77. 78. 79.		
Townes.	337	peace. 60.		White Ashes.	386
Transportation.	340	Upholsters.	352	Widowes, S. Women,	
Trauerse.	341	Uses.	352	Wildfoule.	386
Treason.	342	Usury.	353	Willes.	386
Treasure troue, S. Coro-		Usurpation. S. Aduowson,		Wines, S. Women,	
ners. 6.		1. 6.		Wines.	390
Triall.	344	Uclawie. S. Exigent,		Witnes.	393
Tuckers, See Draperie,		W		Woods.	393
74. 75.		Wages. See Iustice of		Wools.	397
Turbarie, See Assise 1.		peace. 66.		Women.	399
Turne of Sherifes.	346	Wager of lawe,	354	Worstedes.	402
V		Wales.	354	Wrecke of Sea.	403
Vagabonds.	347	Wardes.	374	Y	
Valore Maritagii. See		Warrantie.	379	Yarne and Thummes,	
Wardes. 7.		Wares, S. Marchants. 3.	403		

FINIS.



NN O, 25. Ed. 3. It was agreed in parliament, that the lawe of the crowne of Englande, is and alway hath bene such, that the children of the kings of Englande in whatsoeuer parties they bee borne, in Englande, or els where, be able, and ought to haue the inheritance after the death of their auncestours:

Kings childre borne beyond sea, inheritable in England.

the which lawe was confirmed by the saide R. Ed. 3. the Lordes and Commons there assembled, to remaine for ever. And in the right of other children borne out of the leageance of England, in the time of the said king Ed. 3. it was there agreed, that Henrie sonne of Iohn of Beamond, Elizabeth the daughter of Guy of Brian, & Iohn the sonne of Raulfe Daubney, & others which the said king Ed. 3. would name (the which were borne beyond the sea, wout y^e leageance of England) should be from thence forth enabled, to haue & enioy their inheritance after y^e death of their auncestours in al parts w^{ithin} the leageance of England, as wel as those which should be borne within the same leageance.

2 ¶ And it was then further enacted, that all children inheritable which should be borne without the kings leageance, which childrens father and mother at the time of their birth, shall be vnder the faith and leageance of the King of England, shall enioy the same benefites, to haue & take inheritance within the same leageance, as other the foresaid inheritours, so that the mothers of such infantess do passe ouer the sea, by the licence and good willes of their husbandes. And if it be alledged against any such borne beyond the sea, that hee is a bastard, in case where the Bishop ought to take cognisance of Bastardie, the Bishop of the place where the land demaunded is, shall be commaunded to certifie the kings court where the plea dependeth, as in auncient time it hath bene vsed in case where bastardy is alledged against them, which be borne in England, 25. Ed. 3. Stat. 2. de natis vltra mare.

Children inheritable w^{ithout} their mothers passe the sea, by licence of their husbandes.

Trial of Bastardy pleaded against him which is borne beyond the sea.

3 ¶ By the statute made. 31. H. 8. 6. All religious persons possessed, aswel men as women which were or after should be set at libertie, by suppression, dissolution, &c. of their Monasteries, Abbeis, Priories, &c. (or which were translated from one corporation to another. 33. H. 8. 29. and the Prior, Brethren or Confriers of the hospitall of Saint Iohns of Hierusalem in England & Ireland, 32. H. 8. 24.) from and after the time that they were set at libertie, were enabled to purchase to them and their heires in fee simple, fee talle, for terme of life, peeres, or at will, any manors, lands, tenements, rents, annuities, and other hereditaments and things whatsoeuer. And also to sue, and to

Religious persons enabled to inherit, purchase, sue and be sued.

Abridgement of plaints. Accions popular.

be sued in all accions, plaintes, and suites whatsoeuer, for any matter or cause growen, after the time of their seuerall deraignments, or departing out of their religion, in all courts & places win the realme, and to receiue, take, and enioy euery lawfull thing to them growen or happened, after their departing out of their religion, in as ample maner, as if they had neuer entered into religion. But by the said statute of 31. H. 8. & the statute of 5. Ed. 6. 13. it was prouided that none of the said religious persons should be taken and iudged as heire or inheritable to any person, by reason of any former right, title, interest or cause, had, made, discended or growen, before their seuerall deraignment or departing out of religion.

1 That the examination of the abilitie of a person presented to a benefice doeth pertain to an Ecclesiasticall iudge. See Ecclesiasticall, 4.

Abridgement of plaints.

The plaintife in assise, may abridge his plaint.

The plaintife in euery assise, may at his pleasure seuer & abridge his plaint, of any part or parts, whereunto any barre is pleaded, in such like maner as he might do in case that pleas in barre had bene made, and deuided to any certaintie or number of acres in the plaint. And the plaint for the residue of the part or partes of the landes not abridged, shalbe and stand good in the Lawe. 21. H. 8. 3.

Accions popular, Informations.

Accions popular sued by collusion.

If an accion popular be sued against any man by collusion, and the plaintife in the same do recouer against the defendant, or be barred, any other person may afterwarde sue against the same defendant an other accion popular with good faith, and shall in the same recouer & haue execution, if the recouerie or barre in the first accion be found to be by couin. And the defendant being attainted of couin, shal haue two peeres imprisonment, by proces of Capias and Vclarie, to bee sued within the yeere after iudgement giuen, or at any time after, vntill the defendant be had and imprisoned, and that aswell at the Queenes suite, as at euery other persons that will sue in that behalfe. And no release of any common person, made to any partie before, or after any accion popular or indictment hanging, shalbe auaylable to let or surcease the sayd accion, indictment, proces, or execution. Prouided alwaies, that no plaintife or plaintifes be in any wise receiued to auerre any couin in any accion popular, where the poynt of y^e same accion, or els collusion haue bene once tryed, or lawfully found, with, or against the plaintife by triall of xii. men, and not otherwise. 4. H. 7. 20.

2 ¶ All accions, suits, billes, indictments, or informations, taken, sued, commenced, had or made for any debt, moueable goods, or cattels forfeited, whereunto the Queene onely, her heires or successours, and no common person shalbe or may be intituled, by reason of any penall statute, shalbe commenced, sued, taken or had within foure peeres next after the offence or forfeiture of or for the same made against the provision of any such statute, and not after. And all popular accions, informations &c. which shalbe sued for any offences or forfeitures done against the ordinance of any acts penall, made or to be made, whereby accion, suit, bill, or information popular, shall be giuen to any person such as will sue for the Queene and for himselfe, or onely for himselfe, shalbe commenced, sued, had and made for the Queene within two peeres, and for euery common person within one yere next after the offence or forfeiture made, and not after. And if any accion, suit, bill, indictment or information concerning any the aforesayde statutes, be otherwise made then within the time before limited, the same shalbe voyd. But where any accion, information or indictment is limited by any statute to be taken within shorter time or times (then as is aforesayde) it shall be taken within the time limited by that statute. 7. W. 8. 3. See husbandrie 16.

Within what time accions popular shalbe sued.

3 ¶ Euery informer vpon any penall statute, shal exhibite his suit in proper person, & pursue the same onely by himselfe or by his Attorney in Court. None shalbe admitted or receiued to pursue against any person vpon any penal statute, but by way of information, or originall accion, and not otherwise, nor shall haue ne vse any deputie at all. And vpon euery such information which shall be exhibited, a speciall note shalbe made of the very day, moneth and yeere of the exhibiting thereof into any office, or to any officer, which lawfully may receiue the same, without any maner of Antedate thereof to be made. And the same information shalbe accompted to be of record, from that time forward and not before. No proces shalbe sued out vpon any such information, vntill the information be exhibited in forme aforesaid. And vpon euery such proces shall be indorsed aswell the parties name that pursueth the same proces, as also the statute vpon which the information in that behalfe made, is grounded. And euery clerke making out proces contrary to the tenour and provision of this act, shall forfeit for euery such offence xli. s. to the Queene and the partie against whome any such defectiue proces shall bee awarded, to bee recovered in any Court of record by Accion, Information, &c. wherein no Wager, Essoyne, P. or Injunction, &c. 18. El. 5.

Information exhibited in proper person.

Information, originall accio. No Deputies.

A note of the day, moneth and yeere.

Indorsement of the information.

4 ¶ No such informer or plaintife shall compound or agree with
B.ii. any

Accions popular.

No Informer
shall compound
with a defend-
ant but by
consent of the
Court.

any person that shall offend, or shalbe surmised to offend agaynst any penall statute for such offence committed, or pretended to be committed, but after answer made in Court vnto the information, or suit in that behalfe exhibited or prosecuted, nor after answer, but by the order or consent of the Court, in which the same information or suit shal be depending, vpon the paines and penalties hereafter declared. And if any such Informer or plaintife shall willingly delay his suit, or shall discontinue or be nonsuit in the same, or shall haue the triall or matter passe against him therein, by verdict or iudgement of Law: Then the sayde Informer or plaintife shall pay vnto the defendant his costes, charges and damages, to be assigned by the Court, in which the same suit shalbe attempted. If or the recovery and execution whereof, euery such defendant shall immediatly vpon the same costes, damages &c. assigned, haue his Capias ad satisfaciendum, Fieri facias, or Elegit, to be awarded vnto him out of the same Court, in which the same shalbe so assigned, as in other cases of Execution. 18. El. 5. 27. El. 10.

Costes & da-
mages, if the
informer des-
lay, disconti-
nue, by nonsuit
or haue the
matter passe
against him.

5 ¶ If any person or persons (except the Clerkes of the court only, for making out of proces otherwise then is aboue appointed) shall offend in suing out of proces, making of composition, or other misde-meanour, contrary to the true meaning of this statute, or shall by colour or pretence of proces, or without proces, vpon colour or pretence of any matter of offence against any penall law, make any composition, or take any money, reward, or promise of reward, for himselfe, or to the vse of any other, wout order or consent of some of the Queenes Courtes at West, then he or they so offending, being thereof lawfully conuicted, shall stand on the Pylopy in some market towne next adioyning, where the same offence shalbe committed, in the open market time, & there remaine by the space of two houres: And shall after such conuiction for euer be disabled to pursue, or be plaintife, or informer in any suit, or information vpo any statute popular or penal: And shall also for euery such offence, forfeit x. li. to the Queene & the party griued, to be recovered by A. J. &c. wherein no W. &c. E. P. or Injunction, &c. 18. El. 5. 27. El. 10.

Statutes as-
gainst Main-
tenance,
Champerrie,
Imbracerie.

6 ¶ But it shalbe lawfull for euery person griued by meanes of any maintenance, champartie, buying of titles or imbracery, to pursue vpon any statutes provided against maintenance, &c. as he might haue done before the making of this act. 18. El. 5. 27. El. 10.

Penalties gi-
uen to persons
certaine.

7 ¶ This act shall not extend to any suit depending before the 8. day of Februarie. 1575. nor shall restraine any certaine person, body politique or corporate, to whom, or to whose vse any forfeiture, penal-tie or suit, is or shalbe specially limited or graunted by any statute, &

not

not generally to any person that will sue, but euery such person &c. may in such case sue, informe &c. as hee might haue done, if this act were neuer made. 18. El. 5. 27. El. 10.

8 ¶ Also this act shall not extend to any such officers of recorde, as haue in respect of their offices heretofore lawfully vsed to exhibit informations, or sue vpon penall lawes, nor to any officers informing or pursuing for matters onely concerning their offices, but they and euery of them may informe and pursue in that behalfe, as they might haue done, before the making of this act. 18. El. 5. 27. El. 10.

Officers vsing
to exhibite in-
formations,

1 That certaine forfeitures due to the Queene vpon some penall statutes shalbe imployed vpon the prouision of stocks of money for the poore, and houses of Correction. See poore people. 29.

2 That the defendant shalbe admitted to haue a Tales de circumstantibus in Accions popular. See Iurors 26.

3 That the Iurie in suites vpon penal lawes, shall not be compelled to appeare at Westminster. See Iurors. 31.

4 That certaine Iustices haue authoritie to heare and determine offences committed by Informers. See Iustices of peace. 57.

Accomptants and debtors to the Queene.

A Obligations and specialties which shalbe made for any cause in any wise concerning the Queenes Maiestie or her heires, or to her, or their vse, commoditie or behoofe, shalbe made to her and to her heires, Kings or Queenes in her or their name, by these wordes, Dominæ Regina, and to none other person to her vse, and to be payed to her highnesse by these wordes, Soluendum eidem dominæ Regina, hæredibus vel executoribus suis, with other wordes vsed in common obligations. And if any person make or take any obligation to the Queenes vse in any other maner, he shall suffer such imprisonment, as shalbe adiudged by the Queenes Counsel. And all such obligations and especialties so to be made, shalbe effectual in the law, to all purposes, and shalbe in the same nature, and effect to all intents, as the writings obligatorie taken and knowledged, according to the statute of the Staple at Westminster, haue at any time bene taken and executed against any lay person. 33. H. 8. 39.

The fourme
and effect of
obligations
made to the
Queene.

An obligation
made to h. M.
is in the na-
ture of a sta-
tute staple.

2 ¶ All such obligations and especialties, the debt whereof being not payde nor contented in the life of the King or Queene, shall remaine and bee to the heires or executors of the King or Queene, at the free libertie and appointment of the same King or Queene, &c. to whome the same shalbe made. 33. H. 8. 39.

Who shall
haue the
Queenes
debts after her
deceasse.

3 ¶ The Queene in all suites to bee taken vpon any specialtie made to her grace, or to any to her vse, shall recouer her iust costes

The Queene
shall recouer
costes and da-
mages,

Accomptants and debtors to the Queene.

and damages as other common persons vse to doe, in suites for their debtes. 33. H. 8. 39.

Debts due to the Queene by attender, for forfeiture, gift, &c.

4 ¶ In al accions, and suites to be taken, or pursued in any of the courtes of the Eschequer, Duchy of Lancaster, or wardes & Liveries for the recouerie of any debt, which shall appertaine, accrue, or be to y^e Queene, by reasoⁿ of any attainder, outlarie, forfeiture, gift of y^e partie, or by any other collateral meanes: It is sufficient to alledge in y^e said suit generally, that the partie to whom the sayde debt was due or did belong, such yeere & day did giue the same debt to the Queene, or was attaynted, outlawed, or other offence, forfeiture, or thing comitted, by reason whereof the said debt did accrue, and ought to remaine & come to y^e Queene, & the same matter so alledged in generaltie wout shewing the circumstance thereof, shalbe of as good effect in y^e law to al intents, as if y^e whole matter were alledged in euery point. 33. H. 8. 39.

The Queenes suites shall be preferred.

5 ¶ If any suit be commenced, or any proces be awarded for the Queene, for the recouery of any her debtes, the same shall be preferred before the suit of any other person, and the Queene, her heires and successours, shall haue first execution against any defendand for her said debtes before any other person, so alwayes that her suit be commenced or proces awarded for the said debt at the suit of the Queene, &c. before iudgement giuen for the said other person. 33. H. 8. 39.

Lands entailed, chargeable to the payment of y^e Queenes debtes.

6 ¶ All manors, lands &c. and hereditaments the which shal come or be in or to the hands or seisin of any person to whom the same shall descend, reuert or remaine in fee simple or in fee taile, generall or speciall, by, from, or after the death of any of his auncesters as heire, or by the gift of any his auncesters, whose heire he is, which sayd auncester shall be indebted to the Queene, or to any other person to her vse, by Iudgement, Recognisance, obligation or other specialtie, the debt whereof shall not be contented & paid, then in euery such case the same Manors, lands, &c. shall be and stand charged to and for the payment of the same debt, and of euery part thereof. And our sayd soueraigne Ladie, her heires and successours, shall not be barred or delayed to demaunde and receiue her lawfull debtes and dueties against any of her subiects as heire or heires to any person indebted to her highnesse or to other persons to her vse, albeit this worde (Heire) be not comprised in such recognisance, obligation or specialtie: or that any such person shall alledge that he hath not any manors, lands, or hereditaments to him descended, but onely such as be entayled or giuen to him by any his auncesters, to whome hee is heyre. But the Queene, her heires and successours may at her &c. libertie and pleasure, demaund and recouer her sayde debt against any executour or executours, ad-

ministratour

Specialties made to the Queene with out this worde (Heire.)

ministratour or administratours, of any such person indebted, if he or they shal haue assets in his or their hāds in deed or in law. 33. H. 8. 39.

7 ¶ But if the said Manors, landes and hereditaments, or any of them, shall be recouered from the possession of any such person, by any iust or former title, without fraud or couin, which be chargeable as is aforesayd, then they shalbe cleerely discharged of the payment of the said debts and of euery part thereof. 33. H. 8. 39.

Landes recouered by former title.

8 ¶ If any person of whome any such debt or duetie shall be demanded, do shew in any of the said courts, sufficient matter in lawe, reason or good conscience, in discharge of the said debt, or why such person ought not to be charged with the same, and the same matter so shewed bee sufficiently proued in such one of the sayde courtes as hee shall be impleaded or troubled for the same, then the said courtes haue full power to allowe the same prooffe, and cleerely to discharge euery person that shalbe so impleaded. 33. H. 8. 39.

Upon sufficient matter proued the court may discharge the supposed debtor.

9 ¶ If any lands &c. which shalbe charged to or with the debt of our said soueraigne Lady her heires or successors, shall be in the seisin of diuers persons, other then the obligor or obligors, then all the said lands &c. & euery parcel of them, shalbe wholy, & in no wise seuerally chargeable with the paiment of the said debt & duty. 33. H. 8. 39.

When the Queenes debtors landes come into seuerall mens hands.

10 ¶ Euery person named or appointed to be Treasurer, or general or particular Receiuor, collector, or bailife, or minister accomptant to the Queene, shall before his entry, executing, vsing, or exercising of his office, whereunto he shall be so nominated or appointed, together with surctie or sureties, acknowledge, and make sufficient & lawfull bond or bonds to the Queene, in such court of record, where the same officer shalbe accomptable & chargeable, that he, his heires, executors, administrators, assignes or deputies, shall truly accompt, and pay all such summes of money as shal come to his hands, or shal, may, or reasonably might be charged wth, concerning his office to y^e Queenes vse, w^{thin} the circuit of his receipt & collectiō, at such or like daies & times, and in such maner as is hereafter expressed to be cōteined in y^e conditions of euery of y^e said bonds, vpon paine of forfeiture of his office & of his letters patents of the same office. 7. Ed. 6. 1. Sec 15. 16. 17. 18.

Officers bound with surety for their true accompt & payment.

11 ¶ Euery receiuer of the Queenes landes, rentes, and reuenues, or his deputie, shall yeerely make his seuerall precepts to all and singuler the Collectors, ministers, and Bayliffes accomptant w^{thin} the circuit of his office, commaunding them on the Queenes behalfe by the same precept to appeare before him personally, or by their sufficient deputie or deputies, for whom they wil answere, w^{ithin} the county where the same offices, bayliwicks, &c. or collections

Receivers precepts to the accomptants.

Accomptants and debtors to the Queene.

The halfe
peeres rent
due to the
Queene at
Easter.

doe lie, at a certaine day and place in the same precept to be limited, and to pay to the Queenes vse such summes of money as they ought to do, by reason of any their saide offices being due to the Queene, at or before the feast of Easter, which they haue or may by any lawfull meanes receiue, whin or by reason of their said offices, & the same precepts shalbe seuerally deliuered to euery of y^e said officers accōptāt, or to their deputies, or els be left at their dwelling houses, or at y^e manor or place where their receipt is, or ought to be, xii. dayes at the least before the day of apparance to thē giuen in the same precept. And if any of the said ministers, collectors or Bailiffes accōptants, after any such precepts made by any such receiuer, & deliuered or left in forme aforesaid, do make default at the same day & place assigned by the same precept, & being thereof lawfully conuicted in y^e court where the reuenue shalbe answered, he shall for the first offence forfait to the Queene his whole fee for that yeere, wherein he shall so make default, or the value thereof, & for non payment of the said money due & payable at or before the said feast of Easter vnto y^e Queene, whin or by reason of his abovesaid office, collection or bailiwick, shall forfait for y^e first offence of non payment vi. d. of y^e pound in y^e name of a paine, for euery moneth after the said day of apparance, vntill the some money shall be by him or his deputie paid to the handes of the said receiuer, to y^e Queenes vse. And after the first default of apparance made by any of the said officers, & another like precept by the said receiuer be made and deliuered or left in forme aforesaid, then y^e said officer making againe default, & being thereof lawfully conuicted as is aforesaid, for y^e second default of non apparance shall forfait to the Queene his office and fee. And for the said second offence, in the non payment of the said money due and payable by reason of his office, at or before the said feast of Easter, shal forfait xii. d. of euery pound, in the name of a paine, for euery moneth after the said last day of apparance, and default made as is aforesaid, vntill the same money shalbe by him or his deputie, paid to the handes of the said Receiuer to the vse of the Queene. 7. Ed. 6. 1.

The forfeiture
where the ac-
comptant ma-
keth default.

Second de-
fault.

Auditors pre-
cepts to the
accomptants.

12 ¶ Euery Auditour of the Queenes, of her landes, possessions, rents, and reuenues, for the time being, or his sufficient deputie, shall haue full power yerely to make his precepts to al Ministers, Collectours & Bailiffes accomptants, commaunding them in the behalfe of our sayd soueraigne Lady, to appeare and accompt before him personally, or els by their sufficient deputie or deputies, at a place certaine, within the Countie where the same landes and possessions doe lie, at the Queenes Audite to be holden there yerely, betweene the feast of Saint Michael the archangel, and the Natiuitie of our Lord God, of
and

and for all rents, reuenues, and profits, due and payable within, or by reason of their said offices &c. at or before the feast of S. Michael the Archangel next before the same Audit, expressing in y^e same precepts, the time and place, when and where the same Ministers, Collectors and Bailiffs accomptable, or their sufficient deputies, for whom they will answer shall appeare, the same precepts to bee deliuered to the same ministers &c. accōptable, or their deputies, or left at their dwelling houses, or at the manor or place where their Collections are or ought to bee, twelue dayes at the least, before the day of apparance to them prefixed in the same Precepts. And if any Minister &c. accomptant do not appeare before the said Auditour or his deputie at the said Audit, according to the sayd precept, or els if he do appeare and refuse to accompt for his sayd receipt &c. before the said Auditor &c. and being thereof lawfully conuicted in the Court where the reuenue shall be answerable, hee shall for his first offence forfeite to the Queene his whole fee for that yeere, wherein he shall so make default, or the value thereof. And for the non payment of the sayd money due and payable within his collection &c. at or before the sayd feast of Saint Michael the Archangel, shall forfeite to the Queene for his first offence six pence of euery pound, in the name of a paine, for euery moneth after the sayd day of apparance and default made, as is aforesaid, vntill he or his sufficient deputie shall accompt before the said Auditour or his deputie for his sayd Collection &c. And also pay vnto the handes of the said Receiuor euery such Summe of money, as shall be iustly founde due by the said accomptant before the said Auditor &c. to the Queenes Maiestie, vpon the foote and determination of his accompt. And after the first default of apparance made before the said Auditour &c. by any of the said Officers accomptant being so warned as is aforesaid, and after another like Precept made & deliuered or left in fourme aforesayde, then the said Officer that so shall make againe default of apparance, for the said second offence in making default in his apparance, as is aforesaid, and being thereof duely conuicted in the Court where the reuenue of his said Office shall be answerable, shall forfeite to the Queene his Office and fee. And for the second offence in the non payment of the said money due and payable by reason of his receipt &c. at or before the said feast of Saint Michael, shall forfeite to the Queene xii. d. of euery pounce in the name of a paine, for euery Moneth after the said last day of apparance & default made, as is aforesaid, vntill hee or his sufficient deputie, shall accompt before the said Auditor or his deputie, for y^e said receipt, collection, or Bailiwiki, & also pay vnto the handes of the said Receiuor or his deputie to the Queenes vse, all such summes

The halfe
peres rent due
to the Queene
at Michaels
mas.

xii. daies war-
ning.
If the accomp-
tant make des-
fault.

Second de-
fault.

Accomptants and debtors to the Queene.

summes of money, as shalbe iustly found due by the said accomptant, vpon the foote and determination of his said accompt. 7. Ed. 6. 1.

Officers accomptants concealing dueties.

13 ¶ See the said statute of 33. H. 8. 39. if any Bailife, Reeue, or other Officer accomptant of the Queenes, vpon the declaratiō of his accompt, doeth willingly conceale and withdraue any rent, reuenue, fine, harriot, or other casuallie whatsoeuer it be, of the which he ought to haue made accompt, and that duely proued befoze the head Officer of the court where &c. he shall lose his Office and fee, and thzee times so much as he hath concealed.

The Queenes bailiffes may distraine for arerages.

14 ¶ Euery Receiuor, Collectour and Bayliffe of any of the Queenes landes, rents, or reuenues, for lacke of paiement and leuying of their said rents, issues, & reuenues within their offices, haue power to distraine for the same, and to order the same distresses in such sort, as any officer of the Eschequer, for leuying of y^e Queenes reuenues, answerable in the same Court, heretofore haue done, and may lawfully doe, deliuering to the partie distrained the surplusage of the value of euery such distresse (if any shalbe) the Queenes dueties being first paid, and the distrainant answered of reasonable costs. 7. Ed. 6. 1.

Within what time the Receiuors shall make payment

15 ¶ Euery Receiuor of the Queenes landes, rents, reuenues &c. shall make ready and full payment perely to y^e Treasorer, or generall Receiuor of the Court, where the sayd reuenues shalbe answerable, or otherwise as he shalbe appoynted by sufficient warrant, of all such summes of money as he shall know to be due to the Queene, & can by any lawfull meane get or receiue of the rents or reuenues of our said soueraigne Lady, within or by reason of his office, being due at or befoze the feast of Easter, by the xx. day of Iune the next following at y^e farthest. And also shal make like paiement perely of al his like receipts of the rents &c. that shalbe due at or befoze the feast of Saint Michael the Archangel by the xx. day of Ianuarie then next following at the furthest, vpon payne of forfaiture for euery default at any of the sayde dayes, two pence of euery pound for euery day that the sayd money so by him shalbe vnpayd. 7. Ed. 6. 1.

When the Receiuors shall accompt.

16 ¶ Euery of the sayd Receiuors, or their deputies for whom they will answer, shal enter into their accompt perely in the terme of Saint Hyllary, and fully finish the same befoze y^e tenth day of March then next following, and make ful and ready payment of the money y^e shall appeare to be due vpon the foote of the same accompt, befoze the twentie day of the said moneth of March, vpon payne of forfaiture to the Queene their offices and fees, and iiii. pence of the pound for euery day that they shall withhold the said money. 7. Ed. 6. 1.

These accomptants shall declare what money they haue, and make ready payment.

17 ¶ All Treasurers, Chamberlaines, and generall Receiuors of any

any of the Queenes Courtes of reuenuē for the time being, & all Customers, & Collectors of Customs, or certaine and stalled Subsidies within any Port, Hauē, or Creeke of the Realme of England, which now be or hereafter shalbe, within ten dayes next after notice to him or them giuen from the Queene, or fixe of her priuie Counsel, in writing signed with their hands, shal by themselves, or their sufficient deputies for whom they wil answer, declare in writing, what summes of money then being due vnto our said Soueraigne Ladie, be at that time in his or their hands, and shall make ready and ful payment of al the said summes, as then shall remayne in his or their hands (ouer and aboue the ordinary payments and summes of money containede in sufficient warrants remaining in their offices, & being in their full force, and not lawfully countermaunded, nor reuoked to their knowledge,) to the vse of the Queene, at such time and in such sort as they shall be commaunded by sufficient warrant, vpon payne of forfe. of his or their office or offices. 7. Ed. 6. 1.

18 ¶ The same Treasurers, Chamberlaines, and general Recei- uors, by themselves, or their deputies for whom they wil answer, shal perely before y^e xx. day of Iune make a perfect accompt of all such money or treasure, as hath come to their hands to the Queenes vse, perely at or before the xx. day of March, then next before the said xx. day of Iune, and shal make a perfect declaration in writing of the money remaining in euery of their hands, to y^e Q. or to her priuie counsel, perely before the last day of Iune then next following, & make payment of the same at such time, & in such sort, as they shalbe commaunded by sufficient warrant, vpon paine of forfeiture of their offices. 7. Ed. 6. 1.

Within what time these accomptants shal make their accompts perely

19 ¶ If any Auditour or his deputie, which ought to take the accompt of any Treasurer, Chamberlaine, Receiuer, or other officer accountable before him, doe refuse or willingly delay the taking of the same accompt, in such wise as it can not be finished within y^e time appointed by this act, then he being therof duely conuicted in the Court where the reuenuē or charge of y^e same accompt shalbe answerable to the Queene, shal lose such like forfeiture as the Treasurer, Chamberlaine, Receiuer, or other officer abouesaid ought to do by this act, for not accompting of and for their charges & office or offices: And thereby the same Treasurer, Chamberlaine, Receiuer & other officer that should accompt, and shabe refused or delayed, shalbe discharged of any paine, losse or forfeiture for not accompting. 7. Ed. 6. 1.

If the Auditor refuse or delay to take the accompt.

20 ¶ The duplicat or copie of euery accompt that shalbe made by any Treasurer or Receiuer, or by their deputies in forme aforesayd within conuenient time after the finishing of the same, & at the reason-
nable

The copie of h^e accompt deliuered to h^e accomptant.

Accomprants or debtors to the Queene.

nable request, and costs of such accōptant, shalbe deliuered vnto them subscribed with the hand of the Auditor that shal take the same accōpt, or of his deputie &c. vpon paine that the same Auditour shall forfeite to the Queene for euery such default. x. li. 7. Ed. 6. 1.

**Bishops for
tenths.**

12 ¶ But this act shall not charge any Archbishops, or Bishops to make any bondes, or to make their accompt and payment of the tenths arising within any of their Diocesses due to the Queene, in any other maner then they haue bene charged or accomptable and chargeable by the lawes and statutes of this Realme. 7. Ed. 6. 1.

**Sheriffe.
Excheqor.
Collectour.**

22 ¶ Neither shall this act extende to touch, or charge any Sheriffe, Escheator, or collectour of any Dismes, Quindismes, beneuolences, Contributions or Subsidies, (subsidies of Tonnage & pondage onely except) but that euery of them may exercise their said seueral offices, & pay such summes of mony, as any of the same shalbe charged with all by their said seuerall offices, in like sort as euery of them haue vsually done, or ought to do if this act had neuer bene made. 7. Ed. 6. 1.

**Collectour of
fifteenes, sub-
sidies and o-
ther taxes.**

23 ¶ Euery high Collectour of any fifteene, subsidie or other taxe or lone, shall within thre monethes next after such times as the same shalbe due, & payable to the Q. her heires or successors by any statute, ordinance, or other meane, & by y^e same Collectour receiued, truly pay y^e same to the Queenes vse, at such place, & to such person as shal be named for y^e same, vpon paine to forfeite to y^e Q. her heires, & successors, for euery poid so being receiued, & after that retained, kept, or laid out for gaine, & not payed within iii. moneths to y^e Queenes vse, as is aforesaid, foure shillings for euery moneth y^e the same money shalbe retained, kept, or laied out for gaine, & also shal lose his office cōcerning the same, & all profitcs thereunto belonging. And the Queene shall at her pleasure, charge y^e said Collectour, vpon his accompt, wth the penaltie & forfeitures aboue rehearsed, or els recover the same by Accion, Bill, plaint, or suite of debt against the same Collectour, his heires, executors or Administrators, wherein no W. &c. E. or P. &c. 34. H. 8. 2.

**The Collec-
tors paiment
being tendered,
sufficeth.**

24 ¶ If any of the saide Collectours tender payment of all such mony by him receiued to the Queenes vse within y^e said iii. moneths, in such place, & vnto such person as shal be charged with the receipt of the same, & do as much as in him then shalbe for to make true paiment thereof, & cannot be thereunto admitted by reason of importunate busines, or other lawful impedimēt in him that should receiue the same, then the same Collectour &c. shall not be charged with, or incurre any danger or penaltie contained in this acte. 34. H. 8. 2.

**How farre the
Collectours
heire shalbe
charged.**

25 ¶ The heire of any Collectour aforesaid, (or of any Receiuer of the Eschequer, Duchie of Lancaster, or court of wardes & lieries) shal

shal not be charged by reasoⁿ of this act, but only for & in such lāds &c. or hereditaments, which he shall haue by discent in fee simple, or fee taile, or by gift, or els by any other assurance made to any such heire onely by couin from the said Collectour, or Receiuor, or any of their assignes. And in euery such case, the Queenes maiestie her heires and successours shal haue execution only of & in such lands &c. or hereditaments descended, giuen or otherwise assured as is aforesaid, vntil such time as her Maiestie &c. be fully satisfied of euery such summe of money due by any such Collectour or Receiuour. 34. H. 8. 2.

26 ¶ The executors or administratours of euery such Collectour, shall not be otherwise charged by this act, but as executors & administrators should be chargeable by the order of the cōmon law, in actions of debt vsed against them as executors or administrators. 34. H. 8. 2.

How farre the Collectours executors or administrators shalbe charged.

27 ¶ Where the heire of any of the Queenes Collectours, Receiuors or debtors shabe charged for his fathers or auncestours debts or dueties whose heire he is, whereby the land descended or giuen to him by couin to defraude the Queenes execution therof is put in executiō, then such heire shal and may haue his action of debt against the executors or administrators of his said father or auncestor, & shal haue execution of the goods and cattels of the said father or auncestor being in the hands of y^e said executors or administrators at the time of the said action brought, in which action no W. E. or P. &c. 34. H. 8. 2.

The heire being charged shall haue remedie against the executors &c.

28 ¶ This act of 34. H. 8. 2. doeth not extend to the Collectours of the Queenes Custome, nor of the subsidie of Tonnage and Poudage, which be accomptable perely in the Queenes Eschequer. And this act was prouided for Receiuors also, but the foresaid Statute of 7. Ed. 6. appointeth another order of accompt and payment to them, and also other penalties. See. 34.

Collectours of the custome of the subsidie of tonnage and poudage.

29 ¶ All landes, tenements, profits, commodities, and hereditaments which any Treasorer, or Receiuor, in, or belonging to any of the Queenes courtes of the Eschequer, Wards and Liueries, Duchie of Lancaster, Treasorer of the chamber, Cofferer of the housholde to the Queenes Maiestie, her heires or successours, Treasorer for the warres, Treasorer of any fort, towne, or castell, where any garrison is or shalbe kept, Treasorer of the Admiraltie or nauie, Treasorer, Undertreasorer, or other person accomptable to the Q^{ueene} Maiestie, her heires or successours for any office or charge, of, or within the Mint, Treasorer or Receiuor of any summes of money in prest, or otherwise for the vse of the Q^{ueene} Maiestie her heires or successours, or for prouisions of victual, or for fortificatiōs, buildings or works, or for any other prouisions, to be vsed in any the offices of the Queenes ordinance & artillery, armory, wardrobe,

These accōptants landes liable to the payment of the Queenes debtes.

Accomptants and debtors to the Queene,

wardrobe, tents & pavilions, or reuels, Customer, Collector, Fermor of customes, Subsidies, Imposts or other dueties within any port of the Realme, Collector of the tenths of the Clergie, Collector of any Subsidie or Fiftene, Receiuor general of the reuenues of any Countie or Counties answerable within the receipt of the Eschequer, or in the Court of wards & liueries, or the Duchie of Lancaster, Clerke of y^e Hamper, now hath or at any time hereafter shal haue, within y^e time whilest he or they or any of them shal remaine accomptable, shal for the paiment & satisfaction vnto the Q. Maiestie, her heires & successors, of his or their arerages, (at any time to be lawfully accoꝝding to y^e lawes of this realme adiudged, & determined vpon his or their accompt, al his due & reasonable petitions being allowed) be liable to y^e paiment thereof, & be put in execution for the paiment of such arerages, or debts to be so adiudged & determined vpon any such Treasorer, Receiuor, Teller, Customer, Collector, Farmer, Officer or accomptant as is afore named in like & in as large maner to al intents, as if the same Treasorer, Receiuor, or Collector &c. vpon whom any such arerages or debts shalbe so adiudged, had the day he became first officer or accomptant, stand bound by wꝛiting obligatory, hauing the effect of a statute of the Staple, to her Maiestie, her heires or successors for the true answering and payment of the same arerages or debts. 13. El. 4.

Where the
Queene may
sell the accomp-
tants lands,

30 ¶ If any Treasorer, Receiuor, Collector &c. or other person accomptat before mētioned, which shal receiue or be chargeable with any money or treasure of the Queene, her heires or successors, & shal vpon the determining of his accompt, (al his due petitions to him vpon y^e same accōpt being allowed) or by reasoⁿ of any farme as aforesaid, be found in arerages, or to owe vnto our said soueraigne Lady, her heires or successors any summe of mony, & shal not within the space of vi. moneths next after his accompts finished, or debt knowē, (hauing allowance of his due petitions) truly pay al such arerages as he shal owe vpon determination of his accompt, or vpon his debt knowen, then it shal be lawfull to the Queene, her heires and successors, at any time after y^e said sixe moneths ended, to make sale by her or their letters patents vnder the great seale of England, of so much of the lands, tenements, and hereditaments of euery such accomptant or debtor, as may suffice our said soueraigne Lady &c. for the satisfaction of his debt or arerages, vntil her Maiestie &c. be by such sale fully satisfied of such arerages and debt to be found vpon accompt or farme &c. And if any ouerplus of money shalbe reserued or had, vpon any such sale, then the same shalbe deliuered to the accomptant or farmer, or his heires, by y^e officer that shal receiue the money, vpon any of the said sales, with-
out

The ouerplus.

out any other warrant in that behalfe to be obtayned, and all
 y^e said sales to be made by y^e Queene &c. shall be good and auaylable in
 law against the partie accomptant indebted, & his heires claiming as
 heires, & against the Queene her heires and successors, notwithstan-
 ding any former charge or incumbrance to her Maiestie, &c. by y^e per-
 son for whose debt the same shall be sold. 13. Eliz. 4.

The sale good
 against the
 Queene and
 accomptant.

31 ¶ If any person accomptant or indebted, as is aforesaid, shall at
 any time after he shall become accōptant or chargeable, as is aforesaid,
 purchase & buye, or cause to be purchased and bought, any lands, tene-
 ments or hereditaments, and cause the assurance thereof to be made in
 the name of any other person or persons, where the same is in deede
 meant to y^e vse, profit or behoofe of such persō accomptant or indebted,
 or of any other person, & y^e same maner of purchasing & secret vses &c.
 shall be found by office or inquisition, then all and euery lands &c. so to
 be bought or purchased or caused to be purchased, shall be taken & vled
 for the satisfaction of the arrerages and debt of euery such accomptant
 or debtor to all intents, as though y^e person indebted vpon his or their
 accompt or farme, were thereof actually seised of such estate as was
 conueied to any persō by any such accomptant or debtor, or by his
 meanes as is aforesaid. And all sales to be thereof made by the Q. &c.
 for satisfaction of such debt or arrerages, as shall be found to be due &
 owing to her, shall be of the like effect, and be vled in such like maner
 as is before (30) expressed. 13. Eliz. 4.

Accomptants
 purchase lands
 in others
 names.

32 ¶ All lands, tenements, & hereditaments which any accomp-
 tant before named hath hertofore sithence the beginning of y^e Queens
 reigne, purchased, or caused to be purchased, to the intent the same
 should not be liable as is aforesaid (the couin being first found by of-
 fice &c.) shall and may be seised by her Maiestie, her heires or successors,
 & retained by her &c. in fee simple, to be sold or otherwise vled at her &
 their pleasures, towards the satisfaction of al arrerages al ready set or
 determined, or that hereafter shall be determined vpon his accompt (all
 reasonable & due petitions being allowed) at such rate and value as y^e
 same were purchased, or caused to be purchased, by any Treasorer, re-
 ceiuor, Teller, &c. or by any other person to their vse. If the lands so to
 be seised or sold by her Maiestie, her heirs or successors, as is last aboue
 mēcioned, do surmount after the rate & value aforesaid, the debt & ar-
 rerages to be determined vpon y^e accompt of any Treasorer, Receiuor
 or accomptant before named, then her Maiestie &c. shall seise onely so
 much as shall amount after the rate and value aforesaid, to the iust pay-
 ment of such debts and arrerages, as hath bene or shall be determined
 or adiuged vpon his accompt, as is aforesaid. 13. El. 4.

Lands pur-
 chased since the
 beginning of
 the Queenes
 reigne.

Accomptants and debtors to the Queene.

No Bishops
lands charges
able.

33 **N**o Bishop hauing the collection of any Subsidie or tenths or any his lands &c. wherof he is seised in the right of his bishopricke, shal be charged by vertue of this acte for any arrerages, of tenths or subsidie, otherwise then he might lawfully haue bene before the making of this act. 13. El. 4.

Accomptants
not exceeding
CCC. li.

34 **T**his act shal not extend to charge any Treasorier, Receiuor, or accomptant aforesaid, hauing any yerely receipt, nor any their lāds &c. whose yerely receipt, collectiō and charge, or whose whole receipt from the beginning of his charge, is not, or hath not bene, or hereafter shall not be aboue the summe of CCC. li. in any other maner, then he might lawfully haue bene charged before the making of this act. 13. El. 4.

Accomptants
which are not
to make pre-
sent payment.

35 **B**ut because the Treasorier of the Chamber, & Cofferer of the household of the Queene her heires and successours, treasoriers of warres or garisons, Treasoriers of the nauy, Treasoriers or receiuors of any summes of money for prouision of victual, or for fortifications or for building, and master of the wardrobe, are by order of their offices & charges after their accōpts ended, to disburse the debt remaining vpon their accompts, in such charges as are necessarily to be prouided in their offices and charges, so as they are not of such summes of money to make present payment as other accomptants are, therefore this act shall not extend to giue any authoritie to make sale of any landes &c. for any such debt to be iudged in any of their accōpts last mentioned, vnlesse the Queene, her heires and successours vpon the determining of their accomptes (all their due petitions to them &c. being allowed) commande present payment thereof, or otherwise eftsoones require a newe accompt of the same debt so remaining in any the accomptants mencioned in this branch, and that thē the same debt or any part thereof, shalbe found to be owing & vnexpended in the charges pertaining to any of their said offices, & the same debt remaine vnpayd by y^e space of vi. moneths after such request or commandement. 13. Eliz. 4.

Sheriffe, El-
schetor, Bailife
of liberties.

36 **T**his act shall not extend to charge any Sheriffe, Elschetor, or Bailife of liberties, or the landes, tenements, or hereditaments of any of thē, nor of any their heires or assignes, for any thing touching their office of Sherifwick, Elschetorship or Bailiwick, nor for any money by them receiued by reason of any their said offices, in any other maner then they might lawfully haue bene charged, before the making of this act. 13. Eliz. 4.

Lāds purchas-
ed bona fide.

37 **T**his act as touching only the sale of any lands or tenemēts, shall not extend to any lands &c. which any persons now (viz. 2. April. 13. Eliz. Anno Dom. 1571.) haue or enioy, and haue purchased or ob-
tained

tained bona fide, & not being priuie or consenting to any such intent, to defraude the Queene, as is abouesaid. 13. Eliz. 4.

38 ¶ It shall be lawfull to euery person, whose lands, &c. shall by any office or inquisition bee founde to be fraudulently conueyed as is abouesayde: to haue his lawfull trauerse to euery such office, &c. And if it be founde with the partie that tendereth the trauerse, then he shall haue the sayde landes out of the Princes hands without any petition, liuerie, or Ouster le main, or any other suite to be made or vled, and the same being founde for such person, so trauersing, the same landes &c. shall be adiudged as not lyable, chargeable, nor to be sold by force of this statute. 13. Eliz. 4.

The partie
griued may
haue his tra-
uerse.

39 ¶ If the Queene &c. shall by any sale of landes by force of this statute, be fully satisfied of the debt or arrearages of any such accomptant or debtor or any part thereof, then his sureties shall be discharged of so much of the sayd debt, forfaiture and arrearages, as so shall be satisfied, and for the residue onely shall be ratable (according to their abilities) charged. 13. Eliz. 4.

If the Queene
do sell the deb-
tors lands, the
sureties be dis-
charged.

40 ¶ The foresayd statute made 13. Eliz. 4. to make the landes, tenementes, goods and cattels of Tellers, Recepuors, &c. to be lyable to the payment of their debts, shall to all intents as amply extend and be construed to extend to all such vnder collectors of tenths and subsidies of the Clergie, and to their landes, tenements and hereditaments, goods and cattels, for satisfying of such money as they haue collected, or shall collect of the sayd tenths and subsidies to the vse of the Queenes Maiestie, her heires and successors (of what perylly summe soeuer the charge of their collection is or shall bee) in like fourme as it doth extend to the Tellers, Receiuours, and other persons accomptant, whom the sayd acte specially and expressly concerneth, and in as ample wise as if such vnder collectors were immediately accomptant to the Queene, &c. 14. Eliz. 7.

Vnder collec-
tors of tenths
and subsidies.

41 ¶ And euery such vnder collector shall vpon proces awarded out of the Eschequer, be chargeable to accompt for his receipt of such tenths and subsidies, as any Recepuor immediately accomptant to her Maiestie is or ought to be. And euery Archbishop and Bishop, and Deane and Chapter (Sede vacante) to whose charge the collection of such tenths or subsidies, doeth or shall appertaine, shall be discharged of so much of the sayd tenths and subsidies, as shall be satisfied to the Queenes Maiestie, her heires or successors, of or by the landes, tenements, or hereditaments, goods or cattels of such vnder collector or his heires, without any other warrant whatsoeuer to be obteyned. 14. El. 7.

Vnder collec-
tors of tenths
accountable
in the Esche-
quer.

Accomprants and debtors to the Queene.

Sale of the accōptants lands after his death
The accomprants debt known with in viii. yeres after his death.

42 ¶ The said act of 13. Eliz. 4. in every part thereof touching the power giuen by that act vnto her Highnes, her heires & successors, to make sale of any y^e lāds, tenements or hereditaments, by y^e same act limited to be sold, is, shall, & ought to be expounded and intended aswel in case where the sale is to be made after the death of such accōptant or debtoz, as where it is to be made in his or their life time: And also aswel in case where y^e accōpt is made, or y^e debt known win viii. yeres after y^e death of such accomprant or debtoz, as where y^e same accōpt is made, or debt knowē, in y^e life time of the same accōptant or debtoz: Any ambiguitie or question, that hath risen or growen, or may arise, growe, or be conceiued, vpon the letter of the same act, to the contrary thereof in anywise notwithstanding. 27. El. 3

Proces as gainst the accomprants heires before the sale of his lands.

43 ¶ After the death of such accomprant & debtoz as is mentioned in y^e said recited act, of 13. Eliz. and before such time as any the lands, tenements and hereditaments descended vnto the heire of such accōptant or debtoz, as heire vnto the same accomprant or debtoz shalbe sold as aforesaid, a Scire facias shall be awarded out of her Maiesties court of Eschequer vnto the Sheriffe of the county, where any such lands doe lie, to garnish the same heire, to shewe cause why the same lands, tenements and hereditaments so to him descended as is aforesayde, should not be put to sale for satisfaction of the said debts or fermes in the same act mentioned according to the tenor of the said act. Wherevpon if the heire do not within a conuenient time vpon a garnishmēt or two Michils returned, shewe and proue vnto the said court that the executors or administrators of such accomprant or debtoz haue sufficient, which ought to answere or be liable for the same debt or farme, or whereby the said debt or farme, shall and may be duely and fully satisfied: Thē after x. moneths next after such two Michils or garnishment returned, the same lands, tenements and hereditaments shall be sold by her Maiestie, her heires or successors, and the money thereof comming disposed according to the true entent and meaning of the said former recited Act. 27. El. 3.

The heires sale good to him which is not consenting to defraude the Queene.

44 ¶ The sayde recited act and this statute of explanatiō also as touching onely the sale of any landes, tenements or hereditaments to be made after the death of such accomprant or debtoz as is aforesayde shall not extend to any landes, tenements or hereditaments, which any person or persons not being priuie or consenting vnto any such intent to defraude the Queenes Maiestie, her heires or successors, as in the said recited acte is mētioned, now haue or enioy, and haue purchased or obtayned, or before any Scire facias to be awarded, as is aforesayd, shall haue, or enioy, purchase, or obtayne,

Bona

Bona fide, and vpon good consideration: Any thing in this acte, or in the before mentioned acte to the contrary thereof in any wise notwithstanding. 27. Eliz. 3.

45 ¶ This act of explanation shall extend onely vnto such as haue bene or shall be Tellores, Receiuors, Treasurers, Customers, Cofferers of the household, Farmers of impost, Collectors, bayliffes, bitailers and other officers of receites and accomps, vnto y^e Quene's Maiestie, her heires and successours, and to euery of them, their heires, executours and administratours, and to none other. 27. Eli. 3.

To what accomptants this statute of explanation shall extend.

46 ¶ In such cases where any accompt shall or ought to be made, or any debt shal be owing in the courts of the Duchie of Lancaster, and wardes and liueries, or in any of them: then after the death of such accomptant or debtoz, as is mentioned in y^e said former act in any of the said last mentioned courts, and before such time as any of the lands, tenements or hereditaments, descended vnto y^e heire of such accomptant or debtoz, as heire vnto y^e same accomptant or debtoz, shalbe sold as aforesaid, such proces shalbe awarded as here after is expressed, that is to wit, first a priuie seale comanding y^e same heire to make personal appearance in y^e court, out of which y^e same priuie seale shalbe awarded, to shew cause, as in y^e writ of Scire facias, to be awarded out of y^e Eschequer is before appointed. And if y^e same heire shall make default at y^e day of the returne of y^e same priuie seale, then vpon Affidauie made that the same priuie seale was duely serued either vpon y^e person of the same heire, or leste at the place of his or her dwelling, or most vsual abode, an attachment with proclamation shalbe awarded against the same heire, and shalbe openly published and proclaymed, in some market towne in the county where the same heire was last dwelling, or made his or her vsuall abode, vpon some market day, there in the time of open market, twentie daies at the least before y^e returne thereof. And if vpon returne thereof, the said heire shall estloones make default: Then al things shalbe done & executed, for the sale of the same lands, tenements and hereditaments, and for the full satisfaction of the same debt, or ferme, in like and as large maner and forme, to al intents and purposes, as before in this act is limited and appointed, in cases where default is made vpon a garnishment, or two Michills, returned vpon a Scire facias, awarded out of the sayde court of Eschequer. 27. Eliz. 3.

Proces against the heire where the debt groweth in the court of wards or Duchie.

A priuie seale.

An attachment with proclamation.

47 ¶ If the heire of any accomptant or debtoz before mentioned shal happen to be within the age of 21. yerres when any such proces shal fortune to be awarded: Then during the time of his Nonage, this

No sale of the heires lands during his minority.

Accomptants and debtors to the Queene.

The heires
lands liable
to sale 8. yeres
after his full
age.

act or any thing therein contained shall not in any wise bee extended, executed or put in vye as touching or concerning only the selling of lands, tenements or hereditaments of any such heire: Any thing in the same Act contained to the contrary in any wise notwithstanding. And yet neuerthelesse after such time as any such heire shall accomplish his full age of 21. yeres, al and singular the lands, tenements and hereditaments descended vnto the same heire from any such debtoꝝ or accomptant as aforesaid, shal at all times during the space of viii. yeres then next ensuing, be subiect and liable to be sold for the payment and satisfactiō of her Maiestie, her heires, or successors, according to the intent and true meaning of this act, in such maner and forme to all intents and purposes, as if the same heire had bene of full age at the time of the death of such debtoꝝ or accomptant. 27. El. 3.

No sale of
lands where
the accomptant
hath a Quietus
est.

48 ¶ This act or any thing therein containd, shall not extend to the sale of any lands, tenements or hereditaments, of any such heire or heires, for or by reason of any accompt, debt or farme, whereof any such debtoꝝ or accomptant haue or shall haue a Quietus est or discharge in his or their life time. 27. El. 3.

Accomptants
for diuines not
chargeable to
other suites in
the Eschequer

49 ¶ If any diuine or part of diuine be graunted by the Clergie of the prouince of Canterburie and Yorke, to the Queene, or to her heires, after the certificat therof into the Eschequer, and of the names of the collectours for the gathering of the same, if the same collectors do come by proces before the Barons of the Eschequer, and enter in to their accompt, they shall not be bound to answer any bill or bills there exhibited against them by reason of the sayde entry in their accompt, for any maner of cause but onely for the matter touching the sayd accompt. But if the said accomptant be sued in any other court, by writ, bill, or plaint, then he shall take no priuiledge of the sayde Eschequer by reason of the sayd accompt for any such suite. 1. Rich. 3. 14.

Confession of
debt to the
Queene to as-
soid anothers
execution.

50 ¶ If he who is condemned and in execution at another mans suite, will confesse himselfe debtoꝝ to the Queene, where he is no debtoꝝ of record, he shall be remaunded to the first prison, and his creditor being satisfied, he shalbe committed to the Fleete vntill he hath payed the Queene that summe confessed. 1. Rich. 2. 12.

The suerties
shall not be
charged so long
as the principall
debtoꝝ is
sufficient.

51 ¶ The Queene nor her Bailifes shall seise any mans lands or rent for any debt, so long as the debtors presence or cattell will suffice to pay the debt, and the debtoꝝ readie to satisfie it, nor any mans suerties shalbe distrained so long as the chiefe debtoꝝ is sufficient, and if the chiefe debtoꝝ doth faile of payment, not hauing, or not willing to pay, the suerties shall answer it, and if they will, they shall haue the debtors

debtor's lands and rents, until they be satisfied, Magna Charta, An. 9, Hen. 3. 8.

52 ¶ Too great a distress shall not be taken for the Queen's debt, nor driven too farre, and if the debtor can find sufficient & convenient surety unto the Sherife, unto a certaine day within which hee can procure a remedie to agree for the thing in demaunde, the distress shall be discharged in the meane time, & he that doeth otherwise shall be grievously punished, 28. Ed. 1. 12. And all debts of the summons of the Eschequer, that the Sherife or Bailife do confesse receipt of, shall be forthwith allowed, so that whether he receiued all the debt or part, it shall neuer come in demaunde or summons after the Sherife hath confessed payment, Scac. de distric. Scac. 51. H. 3. And if the Sherife at the next accompt after he hath receyued such debts, doe not acquite the debtor, he shall pay to the plaintife thise so much as he receyued, and make fine at the Queen's pleasure, West. 1. 3. Ed. 1. 19.

The Sherife having proces to leue the Queen's debts must take surety of the partie being offered to discharge it.

The Sherife having leuied the Queen's debts, shall discharge the debtor.

53 ¶ Immediately after every final accompt, made and deliuered before the Barons of the Queen's Eschequer, by any Sherifes, Esche-tors, Customers, Comptrollers, & other officers accountable, the tenor of the accompt of every of the same officers shall be from time to time sent into the counties in the which the same accountants be officers, together with commissions directed to the most credible, lawfull & discrete persons, for to enquire & make certificat of the profits, which the said accountants haue receiued in the foresaid Counties, in their owne name to the Queen's vse, and upon their accompts, haue deceitfully concealed and retained the same, to their owne vse and profit. And in case any such Accountants be attainted of any such frauds and deceits, they shall forfeit to the Queene, treble of that, wherof they shall be convicted, and their bodies shall be imprisoned, until they haue made fine and ransom to the Queene, according to the discretion of her Judges, 6. Hen. 4. 3.

Commissions to enquire of accountants.

Accompt,

¶ If Bailifes which are bound to yeelde accompt to their Lords, doe withdraue themselves, and haue no lands or tenements whereby they may be distrained, then their bodies shall be attached, so that the Sherifs, in whose Bailiwikes they shall be founde, shall cause them to appeare, to yeeld their accompts, Harb. 52. Hen. 3. 24.

Accountants withdrawing themselves.

2 ¶ If the master do assigne Auditors to any Bailifes, seruants, chamberlaines, or other receiuers, which are bound to yeeld accompt, and it chaunce them to be found in arrearages (all things being to them allowed) they shall be arrested, and by the testimonie of those Au-

Where Auditors may commit accountants to prison.

ditors committed to the next gaole which the Queene hath in those parties, and shall be receiued of the Sherife or his gaoler, and in prison fettered in Irons, and remaine in the same prison liuing of their owne goods, untill they haue fully satisfied their master of all the arrearages. But if any which is so committed to prison, will complaine that the Auditors haue vniustly charged him with receipts which he hath not receiued, or by not allowing him reasonable expences, and will finde friends which will undertake to bring him before the Barons of the Eschequer, he shall be deliuered vnto them, and the Sherife in whose custodie he is, shall warne his master that he doe appeare before the Barons of the Eschequer, at a certaine day, with the Rolles and Talys whereby he peelded his accompt, & in the presence of the Barons or the Auditors which they will assigne, the accompt shall be recited, and iustice shall be done to the parties, so that if he be found in arrearages, he shalbe committed to the Fleete, and if he flee, and will not willingly yeeld his accompt, he shall bee distrained to come before the Iustices to accompt, if he haue whereby to be distrained, and when he cometh to the Court, Auditors shalbe appoynted vnto him, before whom if he be found in arrearages, and will not forthwith pay the same, he shall be committed to the gaole, to be kept in forme aforesaid, and if he flee, and the Sherife doth testifie that he can not be found, the exigent shalbe awarded against him untill he be outlawed, and hee which is so committed to prison, is not repleuisable, West. 2. An. 13. Ed. 1. 11. See Escape 1.

1 That an accion of debt is maintainable against a sherife or Gaoler which letteth an accompt escape, which is committed to his gard. See Escape 1.

2 That executors shal haue an accion of accompt. S. Executors. 1.

3 When, where, & before whom, Collectors for the building of prisons, shall make their accompt. See Prisons. 2.

4 For the accompt of those which shall receiue any money for the mending of high wayes. See high wayes. 10. 11.

5 For the accompt of Collectors and Surueyors for the mending of Bridges. See Bridges 4.

6 For the accompt of Collectors for the poore, and of Censors, and Collectors for houses of correction. See poore 6. 26

7 That in debt vpon the arrearages of accompt the defendant may wage his law, or plead to an inquest. S. wager 3.

Accusation.

No man shalbe
condemned
without law
full trial.

NO freeman shall be taken or imprisoned, or disseised of his freehold, liberties or free customes, nor shall be outlawed, banished,

or by any meanes brought to destruction, neyther shall any passe, or sit in iudgement vpon him, but by the lawfull iudgement of his equales, or by the law of the Realme, neither shall iustice or right be solde, denyed, or deferred to any man. Magna Charta 9. Hen. 3. 29. 5. Ed. 3. 9. And if any man be taken or put to answer without a presentment before Iustices, or some matter of recorde, or by due proces, or by writ original, the same is voyde and erroneous, 25. Ed. 3. 4. 28. Ed. 3. 3. 42. Ed. 3. 2. See Suggestion.

Additions.

In every originall writ of accions personalles, appeales and indictments, where an exigent shall be awarded, the names of the defendants shall be put, with additions of their estate or degree, or mysterie, and the townes or hamlets or places, and the counties of the which, and in the which they were or be conuersant. And if by proces vpon the said originall wittes, appeales, or indictments in which the sayde additions be omitted, any outlawries be pronounced, they shall be voyde, and before the outlawries pronounced, the sayd wittes and indictments shall be abated by exception of the partie, whereas in the same the said additions be omitted. But though the same wittes of accions personalles doe not agree with the recordes and deedes in surplusage of the foresayd additions, yet for that cause they shall not abate. And the Clerkes of the Chauncerie (vnder whose names such wittes shalbe witten) shall not omit the sayd additions, vpon payne to be punished, and to make fine to the Queene at the Chauncelours discretion. 1. Hen. 5. 5.

Additions where an exigent shalbe awarded.

2 ¶ If the offender against whom any writ de Excommunicato capiendo, according to the statute of Eliz, shall be awarded, shall not in the same writte haue a sufficient and lawfull addition, according to the fourme of the foresayd statute. 1. Hen. 5: Then all paines and forfeitures limitted agaynst such person excommunicate by the saide statute, by reason of the sayd writ of Excommunicato capiendo, wanting sufficient addition shall bee voyde, 5 Eliz. 23, See Excommunication.

Addition in Excommunicato Capiendo.

Admeasurément.

The Gardein shall haue a writ of admeasurément of dower: But yet by the Gardeins suite, (if he wil sue faintly and by collusion against the woman which is tenant in dower) the heire shall not be foreclosed when he cometh to full age, to admeasure the dower, as it is to be admeasured by the lawe of this Realme. And aswell in the writ of admeasurément of dower, as in admeasurément of pasture, when the suite is come to the graund distresse, dapes shall be given, within

Admeasures mēt of dower.

Dapes given in the suite of Admeasures ment.

within the which there may bee holden two Counties, at the which open proclamation shall be made, that the defendaunt shall appeare at the day conteyned in the writte, to answer the plaintife, at which day, if he doe appeare, the suit shall proceede betwixt them, and if hee doe not appeare, and the proclamation be in forme aforesayd testified by the Sherife, admeasurement shall bee made by the default. Westm. 2. 13. Ed. 1. 7.

Admeasure-
ment of pasture.

2. ¶ If by a suite moued vpon a writte of admeasurement of pasture, the pasture was once admeasured, and that it chaunce after such admeasurement the pasture to be ouercharged againe by him that first did ouercharge, with mo beasts then he ought to keepe, if the admeasurement were before the Iustices, the plaintife shall haue a Iudiciall writ, that the Sherife in the presence of the parties being summoned (if they will appeare) shall inquire of the second surcharge, which if it be found, shall be returned before the Iustices vnder the seales of the Sherife and the Iuroys, and the Iustices shall awarde the plaintife damages, and shall put in the estreats the value of the beastes, which he that ouercharged after the admeasurement, put into the pasture more then he ought, and shall deliuer the estreats to the Barons of the Eschequer to answer the Queene. If the admeasurement were made in the Countie, then at the request of the plaintife, a writte shall be awarded out of the Chauncerie, that the Shirife shall enquire of such ouercharge, and of the cattell put in the pasture aboue the due number, and shall answer the Queene the value of them in the Eschequer. And least the Shirife should deceyue the Queene in this case, all such writtes de Secunda superoneratione, which be awarded out of the Chauncerie, shall be enrouled, and in the end of the yere the transcript thereof shall be sent into the Eschequer vnder the Chauncelors seale, that the Treasorer and Barons of the Eschequer may see howe the Shirife hath answered the profite of such writs. And in like sort shall the writs of Redisseisin be inrouled and sent into the Eschequer in the ende of the yeere. Westm. 2. 13. Ed. 1. 8.

Secunda superoneratione pasture

Administrators.

¶ Where a man dyeth intestate, the Ordinarie shall depute the next and most lawfull friendes of him which dyed intestate, to administer his goods, which deputies shall haue an action in the Queenes Court to demande and recouer as executours, the debtes due to him which is dead, and shall answer others in the Queenes Court, to whom the dead person was indebted and bound, in the same maner as executours shall, and also shall be accomptable to the

Admirall and Admiraltie.

Ordinarie, as executors shal, in case where a testament is made. 3 r.
Ed. 3. 11.

1 To whom the Ordinarie shall commit the administration of the goods of him that dyeth intestate, and what he shall take for the same. See probate of Testament. 5. 6.

Admirall and Admiraltie.

The Admirall and his deputie shall meddle with nothing done within the Realme, but onely with things done vpon the Sea, 13. Ric. 2. 5. And he that is griued aginst this statute shall haue an accion vpon the case aginst him which pursueth in the Court of the admiraltie, and shall recouer aginst him double damages, and the pursuer being attainted shal forfeite to the Queene x. li. 2. H. 4. 11.

With what thing the Admirall shall meddle.

2 The Admirals court hath no maner of cognisance, power, or iurisdiction of any contracts, ples, quarels, or other things made or rising within the bodie of the Shires, by lande, water, or wrecke of Sea, but all such contracts &c. and other things shall be tryed, determined, discussed and remedied by the lawes of the Realme, and not before the Admirall nor his deputie. But the Admirall hath cognisance of the death or mayhem of a man committed in any great ship, fleeting vpon the high streame of great Riuer: onely beneath the Bridges of the same Riuer next the Sea. And also to arrest shippes in the great streames for the great voyages of the Queene and the Realme, sauing to the Queene all forfeitures & profites thereof coming. And also he hath iurisdiction in the sayd streames during the sayd voyages onely, sauing to all Lordes, Borroughs and Cities, their Liberties and Franchises. 15. Ric. 2. 3.

Where the Admirals iurisdiction doth lye.

3 By the statute 2. Hen. 5. 6. like power as the Admirall hath, is giuen to him which shall be assigned by the Queene in any Port to be Conseruator of the truce, except for the determination of the death of a man which is committed vpon the maine Sea, and the execution of the same, which is alwayes reserued to the Admirall or his generall Lieutenant. See Piracie. For the authorities delegaties in marine causes, See appeales. 8.

Conseruators of the truce.

Age.

If a man doe purchase an Assise, and the principall disseisour dyeth before the Assise doeth passe, the plaintife shal haue a writ of Entry vpon disseison aginst the heire of the disseisor of what age soener he be. And in the same maner the heire of the disseisee shall haue his writ of entrie aginst the disseisors or their heires of what age soener they be, if the disseisee die before he hath purchased his writte, so that the

Nonage shall not helpe the disseisor or his heire.

the writte shall not be abated, nor the plea delayed by the nonage of the heires of the one partie or of the other, but in that a man may without offending the lawe, fresh suite shall be made in hast after the disseisin. And this point shall be obserued in the right of Prelates and others to whome landes cannot by any meanes come after the death of others, whether they be disseisees or disseisors. And if the parties in pleading discend to an Enquest, & that do passe against the heire within age, and namely against the heire of the disseisee, he shall in that case haue an attaynt by the Queenes speciall fauour without giuing any thing therfore. West. 1. 3. Ed. 1. 46.

Attaint.

Prelates.
Nonage shall
not stay an
enquest.

2. ¶ If an Infant be kept from his inheritance, after the death of his father, graundfather or great graundfather, whereby he is enforced to haue a writ, and his aduersarie doeth appeare in Court, and in pleading alledgeth a feffement, or sheweth some other thing, whereby the Iustices doe award an Enquest, there whereas an Enquest was differred vnto the full age of the Infant, now the Enquest shall passe as though he were of full age. Gloucester. 6. Ed. 1. 2.

Suit by pro-
chein amy.

3. ¶ In euery case where such as be within age may sue, if they be eloigned, so that they cannot personally sue, their next friends shall be admitted to sue for them. West. 2. 13. Ed. 1. 15. See Wardes.

1. That a womans suite which demaundeth landes, which her husband did alien of hers, shall not be differred by the minoritie of her husbands heire which should warrant them. See Women. 15.

2. That eche one bound apprentice within age, shall serue as if he were of full age. See Labourers 23.

Ayde to make the sonne Knight, and to marry the daughter.

¶ There shall be taken of a whole Knights fee for reasonable ayde to make the sonne Knight, or to marry the daughter, but xx.s. and of xx. pound land holden in Socage xx.s. and of more, more, and of lesse, lesse, after the rate. And none shall leuie such ayde to make his sonne Knight, vntill his sonne be xv. yeeres of age, nor to marry his daughter vntill she be of the age of vii. yeeres, and thereof mention shall be made in the Queenes writte framed thereupon, when any man will demaund it. And if the father chaunce to die, when he hath leuyed such ayde of his tenants, before he hath married his daughter, the fathers executours are bound to satisfie the daughter of so much as the father receiued for this ayde. And if the fathers goods be not sufficient, his heire shall satisfie the daughter. West. 1. 3. Ed. 1. 35. And the same lawe is in the Kings case to make his eldest sonne Knight, or to marrie his eldest daughter. 25. Ed. 3. 11.

The Kings
sonne or
daughter.

If the Queene make a ffeffement, and the deede thereof containeth so much, that another person by like deede or ffeffement shoulde be bound to warrantie, the Iustices shal proceede no further, except they haue commandement from the Queene. But where the Queene hath confirmed or ratified another mans deede of that thing which was another mans, or hath graunted any thing to another, as much as in her is, or where a deede is shewed forth that the Queene hath giuen any tenement, in which deede there is no clause of warrantie, and in such like cases, it shall not be surceased by occasion of such confirmation, ratification or graunt or worde or other like, but after the same is shewed to the Queene, they shall proceede without delay. Stat. de Bigamis. 4. Ed. 1. 1. & 2. See Assise. 5.

where ayde
shalbe graun-
ted to the
Queene, and
where not.

2 **C**oncerning the dowers of women, where any Gardeins of the inheritance of their husbands haue the wardshippes of the gift or graunt of the Queene, whether the Gardeins doe holde the thing in demaund, or do call the heires of the said tenements to warrantie, if they do except that they cannot answere without the Queene, it shall not therefore bee surceased but the suit shall in due maner proceede. Stat. de Bigamis. 4. Ed. 1. 3.

In dower
brought as
gainst the
Queenes
patentees of a
warde, the
grantee shall
not haue aide.

3 **A** man shall haue but foure writs of Search for the Queene, whereof euery writte shalbe deliuered 40. dayes before the retorne of the same. And then they which sue for the Queene, shall be put to answere and to defend the landes & tenements demaunded, against the Queene aswell as they can, whether any monument or remembrance be found for the Queene or not, though the suit be in the Parliament, Chauncerie, Kings bench, or common place. And by commandement vnder the great or priuie seale, no point of this statute shalbe delayed. 14. Ed. 3. 14.

Foure writs
of search.

1 Whereupon a Trauers ii. writtes of search shall be graunted. See Trauers. 4.

2 Wherein Assise brought against the Queenes patentee he shall not haue ayde. See Assise 5.

Alehouse.

The Iustices of peace in euery shire, citie, towne corporate, franchise or libertie, or two of them at the least (whereof one to be of the Quorum) haue power within the limites of their commission to discharge common selling of Ale and beere in alehouses, and tipling houses, in such places where they shall thinke meete. 5. Ed. 6. 25.

Iustices of
peace may dis-
charge selling
of ale or beere.

2 **I**f any persō do keepe any cōmon alehouse, tipling house, or pble cōmon selling of ale or beere, but such as shalbe thereunto admitted in p open sessions of the peace, or els by two Iustices of the peace

The penalty of
keepeing ale-
houses with-
out licence.

(whereof

Aliens, Strangers.

(whereof one to be of the Quorum) and shall be bound with suretie by recognisance, against the vsing of vnlawfull games, and for the maintenance of good order (for the making of which recognisance he shall pay but xii.d.) the same shalbe committed by the Iustices or two of them (whereof one to be of the Quorum) to the common Gasle, within the same Shire, Citie, Borough, &c. there to remaine without bayle or Paineprise thre dayes. And before his deliuerance shall be bound in recognisance, with two sureties that he shall not keepe any common Alehouse, or vse selling of Ale or Beere, and shall for his fine pay xx.s. and the certificate of a recognisance, and the offence at the next quarter session made by a Iustice of peace, shal be a sufficient conuiction of the offence. 5. Ed. 6. 25.

Alehouses kept in faires.

3 **B**ut in such townes & places where any faires shalbe kept, it shalbe lawfull for the time onely of the same faires, for euery person to vse common selling of ale or beere in booths, or other places, for the reliefe of the Ducenes subiectes that shall repaire to the same, in such maner as they haue vsed. 5. Ed. 6. 25. See Iustices of peace. 71.

Aliens, Strangers.

Aliens shall make no cloth.

No person not borne vnder the Queenes obeyssance nor made Denizen, being artificer or handicrafts man, nor none other for him, or to his vse shall make any cloth or put any wooll to worke, to make any cloth in this Realme, vpon paine to forfait the same cloth, nor shall sel any wares within this Realme but onely in grosse and not by retaile, and in the port, Towne or place, where the same artificer shall be dwelling, and in none other place, vpon paine to forfait the same wares to the Q. and him that will seise or sue for the same by A. J. &c. wherein no A. J. &c. E. P. &c. 1. R. 39. See Marchants. 1.

Aliens shall sell no wares but in grosse.

Transporting of bowes, and vsing of shooting.

2 **N**o stranger borne, not being Denizen, shal conuey into any partes out of the Queenes obeyssance, without her licence, any long bowes, arrowes or shaftes, vpon paine of forfe. of the same or the value thereof & imprisonment. Nor shall vse shooting with long bowes within the Queenes obeyssance without her licence, vpon paine of forfeiture of the bowes and arrowes wherewith he shalbe found shooting. And euery of the Queenes subiects may seise the same, &c. 33. H. 8. 9. See Archery. 7.

Denizens shall pay such duties as they did before they were made Denizens.

3 **E**uery Alien made Denizen, shal pay to the Queene and her heires & to euery other person, & to all Officers of Cities, Boroughs and Townes, all such Subsidies, Customes, Colles, duties & other summes of money for their wares, Marchandizes and goods, as they should haue payed, before they were Denizens, any grant made, or to be made, or any statute &c. notwithstanding. But all officers of Cities,

ties, Boroughs and Townes, wherein any such duties &c. shalbe demanded, shall set vp in open place of such Citie, Borough or towne, a table or tables, by which the certaintie and dutie of such Custome, Tol, &c. may appeare, to the intent nothing may be exacted, otherwise then hath bene accustomed. This act shall not be preiudiciall to the Marchants of the Stiliard in London, but they shall enioye such priuiledges &c. as they had befoze the making thereof. 22. H. 8. 8. See Corporation. 6.

Marchants of the Stiliard.

4 **A**ll Aliens bozne being Denizens, or not Denizens, vsing any maner of handicraft, inhabiting within London, or the suburbs thereof, within Westminster, y^e parish of Saint Martens in the field, the Parish of our Ladie of the Stronde, Saint Clements of Danes, Saint Giles in the field, Saint Andrewes in Holborne, the towne & Borough of Southwarke, Shorditch, White Chappell parish, Saint Jones streete, the parish of Clerkenwell, Saint Botolphes parish without Algate, Saint Katherins, Barmondsey streete, or within ii. miles compasse of the sayd Citie of London, or parishes, shalbe vnder the search and reformation of the Wardens and Fellowship of the handicrafts which they doe occupie within the sayd Citie, with one substantiall Stranger being an housholder of the same craft by the same Wardens to be chosen. And those Wardens & stranger shal appoint to euery Alien being a blacke Smith, Cowper, Poutch-maker or Joyner (taking nothing therfore) a marke, which he shall put vpon his worke, ware, or vessell: and if any stranger vsing the mystery of Smithes, Joyners, or Cowpers, shal make any wares or vessels concerning the same misteries, and do not put such marke to euery of them, befoze that they be put to sale or vse, without taking any thing therfore, he shall forfeite the double value of the same wares & vessels to the D. & J. to be recouered by A. J. &c. wherein no W. &c. C. or P. &c. But if the sayd Wardens &c. refuse to marke the wares of any Stranger requesting the same, then the Stranger may put to sale his sayd wares. 14. H. 8. 2.

Aliens within London or two miles compass be vnder the search of the Wardens of y^e misteries they occupie.

Euery Alien shall haue a marke to set vpon his worke.

5 **T**he Wardens of euery such mystery, calling to them one stranger of y^e same mystery, being a housholder, haue power to search, viewe, and reforme in London & other places aforesayd, all wares of workemanships made by handicraft men being Aliens. And if vpon such search, they shal find & adiudge any vessels, or ware in the possession of the workers or owners falsly & deceitfully made to the hurt of the Queenes people, then the same worker or owner in whose possession the same false & deceitful wares shalbe found, shal forfeite the same to the Queene & the first finder thereof, to be recouered in any of the

Wardens shal search all aliens worke.

Aliens, Strangers.

the Queenes Courts by accion of Detinue, wherein no *M. C. or P. &c.* 14. *H. 8. 2.* And if any Stranger artificer that is a housholder being required by the Wardens, gouernours or their deputies, doe refuse to go with the said Wardens to make search in forme aforesaid, & that he pproved before the Chancelloz of England, the Maioz of London, or the chiefe officer of the Citie, Borough, Towne, where &c. he shall vse such occupation no more within England. 21. *H. 8. 16.*

Wardens,
bailifes, gou-
ernours may
search aliens.

6 ¶ Wardens and Masters of fellowshipes of all handicraftes within any Citie, Borough or Towne corporat where Wardens be, and the Bailifes or gouernours of Townes &c. where no Wardens be, haue aucthoritie with the Bailife or Bailifes of the libertie, where any libertie is, being content so to do, to viewe, search and refozme strangers, inhabiting and vsing within any such Citie, Towne &c. any handicraft, in as ample maner as the Wardens and fellowshipe of London may do by this Act. And all strangers vsing any of the sayd handicraftes, in any of the sayd Cities, Boroughes &c. be bound to do and obey in euery thing according to the tenor of this Act, vpon the paines and forfeitures and to be recouered as is aboue remembred. But this Act doeth not extend to the inhabitant strangers in the vniuersities of Oxforde, or Cambridge, or within the Sanctuarie of great Saint Martins within London. 14. *H. 8. 2.*

Aliens in Ox-
ford, Cambridge,
great Saint
Martines.
The remedie if
Aliens be un-
treated
wrongfully.

7 ¶ If y Wardens of any felowship &c. Bailifes, gouernours &c. wil wrongfully intreat any stranger in executing any thing cōtained in this act, then y stranger grieued, may by bil or informatiō cōplaine to the Lord Chancellour & Treasorer of England, or to the Iustices of Assise in y Countie, which by their examinations haue aucthoritie to heare & determine the same complaint, and to award to y complainant such amendes as by them shalbe thought reasonable. 14. *H. 8. 2.*

Aliens shalbe
contributorie
to subsidies
and taxes.

8 ¶ All strangers Artificers made Denizens, that will inhabite within London, the Suburbes or Parishes aforesayd, or within two miles compasse of the same, and keepe houses & occupie their Craft, shalbe contributorie to & with the Queenes subiects, artificers within London, paying and bearing the charges folowing, (that is to say) euery stranger Cordwayner, being an housholder, which worketh old stufte or newe, shall quarterly pay to the Master Wardens and comminaltie of the sayd Craft of Cordwayners win the said Citie vi. d. & euery seruant stranger not being Denizen shal pay quarterly iii. d. And al other strangers, artificers, and Denizens of euery handicraft inhabiting within London, or any other Citie or Towne within this Realme, shal pay, beare and sustaine all like charges, as the Queenes subiects of like mysterie, bozne out of her obeyssance, inhabiting with-
in

in the same Citie, Towne &c. do beare. And all strangers, artificers, and denizens exercising the said craft of Cordwayners, dwelling out of London, in any other Citie or town, shall pay, beare and sustaine Scot, Taxes, Tallages, Subsidies, Prests, and all other reasonable exactions, as the Masters, Wardens, & companies of the said Crafts for the time being, be bound to pay, when any subsidie, tax, tallage or prest, or other reasonable charges shall be assessed by the Mayor and Aldermen or common Counsell of the said cities, townes &c. of, or for any charge or payments of money to be payd vnto the Queene, or for any cause concerning the common wealth of the said cities, townes or Artificers &c. And whosoever denieth to pay as contributozie with the said Companies, shall not any longer occupie any handicraft, vpon paine to forfeite x.li. to the Q. & J. to be recovered by A. J. &c. wherein no W. C. or P. &c. 21. H. 8. 16. Seeke whether he shall forfeit x.li. all his goods, or the value of the thing by him solde.

Quere.

The Strangers othe.

9 ¶ The Stranger, Artificer, Denizen or not Denizen, being a householder, which wil remaine within this Realme, shall vpon lawful notice to him giuen by the Master or Wardens of his Craft, or one of them, personally present himselfe in the common Hall, or meeting place of the said Craft within the Citie or Towne where he doeth inhabite, and there shall be sworn vpon the holy Euangelistes to bee faithfull and true to the Queene and her heires, Kings or Queenes of England, and to be obedient to her & her Lawes, and to all actes, ordinances, and decrees made and confirmed by her and her Counsel, or by her Counsel. And that at al times when he shall be appointed by the Wardens of his fellowship &c. or their deputies, he shall be ready to go with the said Wardens to make search. And that he shall not giue notice to any stranger of the said search, untill he with the said Wardens come together to make the same. And that he shall well, indifferently, and truly behaue himselfe, setting all affection, fauour, malice and dread of any creature, and all fraude & deceyte apart. And the oth so receiued, the said Stranger shall pay for his admission, as the Queenes subiects vse to pay. 21. H. 8. 16.

10 ¶ No Stranger artificer not being Denizen, shall set vp or keepe any house, shop or chamber within London, or any other Citie, Towne, Borough, or village wherein he shall exercise any handicraft or mysterie, vpon paine to forfeite all his goods. 21. H. 8. 16. 1. R. 3. 9.

No alien Artificer not being Denizen shall keepe any house or shop in England.

11 ¶ No Strangers artificers, Denizens, or other borne out of the Queenes obeyssance, shall assemble in any companie, fellowship, congregation or conuenticle, but only in the common hall of their crafts, with

Aliens shall not assemble in companies but in their halles.

Aliens, Strangers.

with the Queenes subiects of the same craftes, at such time as they shalbe commanded by the Master and Wardens of the said craftes, & at none other place or time or in other maner, vpon paine to forsayte all their goods. 21. H. 8. 16. 1. R. 3. 9.

Aliens victuals
lers may come
into this Realme
and sell their
victual.

12 ¶ All Aliens being in friendshippe with the Queene and the Realme, and comming within any cities or townes within the Realme, with fish or other victuals, and there taryng and returning againe to their owne countries, shall be vnder the Queenes protection, and it shalbe lawfull to euery of them to cut their fish and victuals in pieces, and by retaile, or in grosse to sell the same. 6. R. 2. 10. And if any man disturbe any alien to sell his fish in forme aforesaid, he shall forfait 1. li. 14. H. 6. 6. See victuals 2.

Baker,
Buer,
Surgeon,
Scriuener, no
handicraftes
men.
Leases of houses
to Aliens
being not Denizens.

13 ¶ No person stranger being a common Baker, Buer, Surgeon or Scriuener shalbe interpreted a handicrafts man by reason of vsing any of the sayd sciences of Baking, Buing, Surgerie or writing. 22. H. 8. 13.

14 ¶ All leases of any dwelling house or shoppe within any the Queenes dominions, made to any stranger artificer or handicraftes man, bozne out of the Queenes obeysance not being denizen, shall be voyd. And no stranger Artificer or handicraftes man, bozne out of the Queenes obeysance not being Denizen shall take any lease of any dwelling house or shoppe, within any the Queenes dominions, vpon paine to forfait for euery time doing contrary v. li. And no person shall graunt or let to farme, any dwelling house or shoppe to any such stranger &c. not being denizen, to the intent to inhabit in the same vpon like paine to forfait v. li. to the Q. & J. to be recovered by A. J. &c. wherein no W. &c. E. P. &c. 32. H. 8. 16.

Aliens bounde
vnto the lawes
of this realme.

15 ¶ Euery Alien bozne out of the Queenes obeysance not being denizen, which nowe be, or hereafter shall come in or to this Realme, or els where within the Queenes dominions, shall be bound by and vnto the lawes and statutes of this Realme, and to all the contents of the same. And all strangers bozne out of her graces obeysance, which heretofore haue bene made denizens or that hereafter shalbe made denizens, shall be bound and obedient by and vnto all the foresayd statutes made 1. R. 3. 14. H. 8. & 21. H. 8. and to all the contents of the same, and to all other statutes heretofore made nowe being in their force, any letters patents or ordinances heretofore made, or hereafter to be made to the contrary &c. notwithstanding. And also in euery letters patents of, or for the making of any denizen, to be made to any stranger, not being bozne vnder the Queenes obeysance, shalbe contained a Prouiso, that he to whom such letters patents shalbe so granted,

Denizens
bound to obey
the statutes.

Proviso in
patents made
to Denizens.

ted,

ted, shalbe bound and obedient by & vnto all the acts & statutes of this Realme, & to all & euery the contents of the same, except it shalbe the Queenes pleasure to grant to any such Alien, any special liberties or priuiledges more or otherwise, then is contained in the said statutes. And in that case al such liberties & priuiledges so to be granted to any such Alien, cōtrary to y^e forme of any of y^e said statutes, shalbe plainely, wholy & particularly expressed by special wordes, aswel in y^e bil assigned to the Queenes hand for obtayning of any such grant, as in y^e letters patents to be made out of y^e Chauncery for the same. 32. H. 8. 16.

16 ¶ In the foresaid Statutes of 1. R. 3. 14. H. 8. 21. H. 8. & 32. H. 8. There be seuerall ordinances for the taking and keeping of apprentices, Journeymen & seruants by Aliens, and of Aliens, but the force of them seemeth to be taken away by the statute made 5. Eliz. 4. which repealeth all statutes befoze that time made, concerning the hiring, keeping, order &c. of Seruants, Artificers, Apprentices &c. and the penalties concerning the same. Sed quære.

Statutes repealed.

1 Where an Enquest shalbe de Medietate linguæ, an alien being partie, and where not. S. Iurors. 29. 30. Attaints. 21.

Quære.

2 That no Alien borne, shall worke vessell made of Tynne or Wessel pewter. S. Pewter. 8.

3 That no alien shall take a benefice, nor that any shall occupy it to his vse without the Queenes licence. S. Premunire. 2. 4.

4 That Aliens being in amitie with the Queene, may bring in vitails & sel them in grosse, or by retaile. S. Vitailers. 2. Marchants. 1.

Vitailers.

5 At what time of the yeere a Marchant Alien may buy wool. S. Woolles. 6.

Wool.

6 That no Alien shall force, clak, or beard wooll. S. Woolles. 8.

7 That Aliens borne, whose parents be vnder the Queenes obedience, be inheritable in England. S. Abilitie 2.

Inheritable.

8 In what case Herring may be bought of an Alien, and in what not. S. Fish 13.

Herring.

9 That Aliens shall imploy their money here receiued vpon the commodities of this Realme. S. Marchants. 9. 10.

Money.

10 That gold or siluer may not be deliuered to any alien. S. Money. 2.

Gold.

11 What custome Aliens shall paye for salted fish or Herrings brought into this Realme. S. Fish. 19.

Customs.

12 A remedie for aliens which be robbed on the sea. S. Safeconductes. 3.

13 That no alien shall weaue or make any Worsteds, Sayes, or Stamines in great Yarmouth or Linne. S. Worsteds. 7.

Amercement. Apparance. Apparell.

None shalbe
amerced, but
according to
their offence.

Amercement.

Amerciament
of Barons &
spirituall per-
sons.

NO Citie, Borough or Towne, nor no man shall be amerced but for reasonable cause, & according to the quantitie of his offence, and a freeman sauving his freehold, a Marchant sauving his marchandise, and any other mans villeine (except the Queenes) sauving his villeine Tenure, if he offend the Queene, & none of the said ameracements shalbe assessed, but by the othe of honest and lawfull men of the same vicenage, Magna Charta 9. H. 3. 14. 2U. 1. 3. Ed. 1. 6.

2 **C**harles & Barons shal not be amerced, but by their Peeres, & a spirituall person shall not be amerced according to his ecclesiasticall liuing, but by his ley fee, and those ameracements shalbe but according to the quantitie of their seuerall offences. Magna Charta 9. H. 3. 14.

Entry that
the plaintife
offred himselfe
in proper per-
son,

Apparance.

IF any Philozer, Exigenter, or any other officer of y^e Kings bench, or common place, do make any entry in any suite, that the plaintife in the same suite hath offered himselfe in his owne proper person, except the plaintife in the same suite (before such entry be made) do appeare in his owne proper person before some of the Iustices of the place where the plea is depending, and there be swozne vpon a booke that he is the same person, in whose name the said suit is sued, or that some other credible person of the Queenes Counsell, will take such othe for him, the sayd Philozer &c. shall forfeite p. s. to the Queene euery time that he shall be attainted, by examination of any of the Iustices of the same place, where any such entry or record is. 10. H. 6. 4. 18. H. 8. 9.

Apparell.

Purpure,
silke, Cloth of
gold of Tissue.

NO person or persons shall vse or weare in any their aparell, or vpon their Horse, Mule, or other beast, any silke of the colour of Purpure, ne any cloth of Golde of Tissue, but onely the King, the Queene, the Kings mother, the Kings children, the Kings brethren and sisters, the Kings vnckles & aunts (except Dukes & Marqueses, which may weare in their doublets and sleeueles coates onely, cloth of Gold of Tissue, not exceeding the price of v. li. the yard.) But this word Purpure doeth not extend to any Mantell of the order of the Garter. 24. H. 8. 13.

Cloth of gold,
siluer, Tincel,
Satten, im-
broderp.

2 **N**o man vnder the estate of an Earle, shall weare in his apparell of his body or vpon his horse, mule or other beast, or harneis of the same beast, any cloth of golde or siluer, or of Tincel Satten, or any other silke or cloth mixed or imbroydered with gold or siluer, nor any furies of Sables (except Viconts & Barons, which may weare

Sables.

in their doublets and sleeueles coates, cloth of gold, siluer or tincell.)
24. H. 8. 13.

3 ¶ No man vnder the estate of a Duke, Marques, Earle, and their chilozen, or vnder the degree of a Baron (except he be a Knight of the Garter,) shall weare in any part of his apparell, any wollen cloth made out of England, Ireland, Wales, Calles, Barwicke, or the Marches of the same, (except in bonets onely) nor shall weare in any maner of apparell of his body or on his Horse, Mule or other beast, or harneis of the same beast, any Crimolin, Scarlet, or blewe veluet, nor any furies of blacke Tenets or Lucernes, nor any maner of embroidery. 24. H. 8. 13.

Wollen cloth
made beyond
the sea.

Coloured vel-
uet, furies,
embroiderie.

4 ¶ No man (vntles he be a knight) shall weare a Coller of gold, named a Coller of SS. 24. H. 8. 13.

Coller of SS.

5 ¶ No man (vnder the degree of a Barons sonne, or of a knight,) except he may dispend in landes or tenements, rents, fees, or annuities, to his own vse for terme of his life, or for terme of another mans life, or in the right of his wife, two hundred pounds ouer all charges) shall vse or weare any Chaine of Golde, Bracelet, Duch, or other ornament of golde in his owne apparell, or on his horse &c. (except such Chayne, Jewel, Duch, or ornament be in weight one ounce, or aboue, of fine Gold, and except rings of Gold, to be woꝛne on their fingers, with stones, or without.) Nor shall weare any veluet in their Gownes, Coates with sleeues, or other vttermoſt garments, nor any furies of Libardes, nor embroidery, pricking or printing with golde, siluer, or silke in any part of their apparell, or on their horses, mules, or other beastes. 24. H. 8. 13.

Ornaments of
Golde.

¶ C. li. fr̄chold

Veluet, furies,
embroidery.

6 ¶ No man vnder the foresayd estates and degrees, other then such as may dispend clerely in landes and tenements, rents, fees, or annuities, by some estate of freeholde C. li. a yeere, shall weare any Satten, Damask, Silke, Chamlet, or Tassata in his gowne, Coate with sleeues, or other vttermoſt garment, nor any Veluet but in sleeueles iackets, doublets, coyfes, partlets, or purses, nor any furies whereof the like kind groweth not within England, Ireland, Wales, Calles, Barwicke, or the Marches of the same, (except Foynes, gray Tenets, and Budge.) 24. H. 8. 13.

¶ C. li. fr̄chold.

7 ¶ No man vnder the sayd degrees, other then the sonne and heire apparant of a Knight, or the sonne and heire apparant of a man which may dispend 300. Markes by the yere (ouer all charges) or a man which may dispend in landes and tenements, rents, fees, annuities, or other peerely profits as is aforesayd, xl. li. a yeere (aboue all charges) shall weare in his gowne or any other his vttermoſt appa-
D. ii. rell,

The sonne and
heire of a
knight or of a
man which
may dispend
¶ C. li. xl. li.
fr̄chold.

Apparell.

rell, any Chamblet or silke, nor in any part of his apparell, any silke other then Satten, Damaske, Taffita, or Sarcenet in his doublets, and sarcenet, Chamblet, or Taffita in lining of his gownes, and the same or veluet in his sleeueles coates, iackets, ierking, coifes, caps, purses or partlets, (the coulours of Scarlet, Crimson & Blew excepted.) Nor shall weare any furre of Foynes, gray Tenets, nor any other furre whereof the like kind groweth not within England, Ireland, Wales, Caleis, Berwicke, or the marches of the same, (except before excepted.) Nor shall weare any Aglets, Buttons, Brouches of gold or siluer, gilt or counterfet gilt, or made with any other deuise of any waight, nor shall weare any Chaine of gold of lesse waight & value then x. ounces of Troy waight of fine gold. 24. H. 8. 13.

xx. li. freehold.

8 ¶ No man vnder the sayd degrees (other then such gentlemen which may dispend in landes &c. as is aforesaid xx. li. a peere ouer all charges) shall weare any maner of silke in any apparell of his body or of his horse &c. except it be Satten, Taffita, Sarcenet or Damaske in his doublet or Coife, & Chamlet in his sleeuelesse Iackets, and a lace of silke for his Bonet, or points, laces, girdles, or garters made in England or Wales, or shall weare any fures of blacke cony or Budge. 24. H. 8. 13.

v. li. freehold.

9 ¶ No man vnder the sayd degrees (other then such as may dispend in lands &c. as is aforesaid v. li. a peere aboue all charges,) shall weare any cloth of the colour of Scarlet, Crimson, or Violet engrained, nor any silke in their doublets or iackets, nor any other cloth in any garment aboue the price of vi. s. viii. d. the broad yard, nor any other thing made out of this Realme, except chamblet in their doublets, and iackets. 24. H. 8. 13.

Seruingman,
xl. s. freehold.

10 ¶ No Seruingman, nor other peoman taking wages, or such other as may not dispend xl. s. of free holde by peere, shall weare any cloth in his hose aboue y^e price of ii. s. the yard, nor in his gowne, coate, iacket, or other garment aboue the price of iii. s. iii. d. the broad yard, except it be his masters liuery, nor shall haue any hose garded or mixed with any other thing that may be seene, on, or through the better part of his hose, but with the same cloth onely. Nor shall weare any Furre, except blacke or white Lambe, or gray Cony, growing within England, Wales, or Ireland. Nor shall weare any shirt, or shirt band, vnder or vpper cap, coife, bonet, or hat, garnished, mixed, made, or wrought with silke, golde, or siluer, nor any bonet, or shirt band wrought out of England, or Wales, but he may weare a silke riband for his bonet, the cognisance or badg of his lord or master, & a horne tipped or flewed with siluer, gilt or vngilt. And al persons may weare

on their bonets, al games of siluer gilt oz yngilt, which they winne by Games of Ma-
wrestling, running, shooting, leaping, oz casting of the barre, and ma-
sters of Shippes oz other vessels, and mariners may weare whistles Mariners.
of siluer, and chaines to hang the same vpon. 24. H. 8. 13.

11 ¶ No husband man shall weare any cloth aboue the price of Husbandman.
ii. s. y^e yard in his hose. ii. s. viii. d. the broad yard in his coate oz iacket,
iiii. s. the broad yard in his gowne, nor any other thing in his doublet
then is wrought win this Realme (fustian & canuas onely excepted)
nor shall weare any furre in any of his apparell. 24. H. 8. 13.

12 ¶ No seruant in husbandrie, oz Journeyman in handicraftes Servants in
taking wages, shall weare any cloth aboue the price of xvi. d. the yard husbandrie.
in his hose, of ii. s. viii. d. the broad yarde in his gowne, iacket oz coate, Journeyman.
nor in his doublet any other thing then fustian, canuas, lether, oz wol-
len cloth, nor shall weare any furre in any of his apparell. 24. H. 8. 13.

13 ¶ None of the Clergy vnder the dignitie of a Bishoppe, shall The Clergie.
weare in any part of their apparell of their bodyes oz on their horses
any stufte wrought out of England, Ireland, Wales, Calles, Ber-
wicke oz the marches of the same, except that it shalbe lawfull to all
Archdeacons, Deanes, Prouosts, masters, & wardens of Cathedral &
Collegiat Churches, Prebendaries, Doctors, oz Bachelers in Diui-
nitie, Doctors of the one lawe oz the other, & Doctors of other scien-
ces, which haue taken that degree, oz be admitted in any Uniuersitie,
to weare Sarcenet in the lining of their gownes, blacke Satten oz
blacke chamlet in their doublets, & sleeueles coates, & blacke veluet,
oz blacke Sarcenet, oz blacke Satten in their Tippetts and ryding
hoodes, oz girdles. And also cloth of the colours of Scarlet, murrey
oz violet, and furies called gray, blacke budge, foynes, shankes oz mi-
niuer, in their gownes and sleeueles coates. 24. H. 8. 13.

14 ¶ None of the Clergie vnder the degrees aforesaid, shal weare The Clergie.
any maner of furies, other then blacke Cony, gray Cony, Budge,
Shanks, Calaber, Gray, Fich, Fore, Lambe, Otter, & Beuer. Nor
any sarcenet oz other silke in their Tippetts, except hee be a Master of
art, a Bachelor of the one Law oz other, admitted in any Uniuersitie,
oz such other of the sayd Clergie, as may dispend yeerely xx. li. aboue
all charges. 24. H. 8. 13.

15 ¶ If any man vse oz weare any apparell, oz other y^e premisses The forfeiture.
contrary to the tenor & forme aforesayd, then he shall forfeit y^e same so
by him used oz woꝛne vpon his person, horse, mule, oz other beast, oz y^e
value thereof, and also iii. s. iiii. d. in the name of a fine for euery day
that he shal so weare the same, to the Queene & I. &c. And euery man
that will, may lawfully sue for the same by accion of Detinue, to
D. iii. be

Apparell.

be commenced within xv. dayes next after the beginning of the terme next ensuing such cause of foxf. wherein no *W. &c. E. or P. &c.* 24. *W. 8. 13.*

Certaine persons excepted and permitted to weare apparell, to others forbidden.

16 ¶ All such officers and seruants waiting or attending vpon the Queene daily, yerely or quarterly in her household, or being in her Eschequer rolle, as shalbe admitted, assigned, & licenced by her grace to vse or weare any maner apparell on their bodies, horses, &c. (otherwise then is before expressed) shall lawfully doe the same, according to the licence giuen vnto them in that behalfe, the same licence to be declared in wryting by the Queene, or y^e Lord steward of her household, or the Lord Chamberlaine, knowing the Queenes pleasure in the same. And the Lord Chancellor, the Lord Treasorer, the President of the Queenes Counsel, and the Lord priuy seale for the time being, of what estate or degree soeuer they be besides those roomes, may weare in their apparell, Vcluet, Satten, and other silkes of any colours (except Purpure) and any maner of Furses (except blacke Ienets.) And this act shal not extend nor be preiudicial to any of the Queenes counsell, ne to Iustices of the one Benche or the other, the Barons of the Eschequer, the master of the Rolles, Seriants at lawe, the Masters of the Chauncerie, Apprentices of the law, the Queenes Physicions, Maiors, Recorders, Aldermen, Sherifes, Bailifes elect, and al other head officers of Cities, Townes, and Boroughs corporate, wardens of Occupations, the Barons of the v. Portes, that is to say, to all the sayd officers, and persons that now be, or heretofore haue bene in like roome, place, office, or authoritie, or hereafter for y^e time shalbe, as well in y^e time, as after that they haue bene in any such place, office, roome, or authoritie, but that they shall at all times weare all such apparell in and vpon their bodies, horses, &c. And also Citizens & Burgeses, shall nowe weare such hoodes of cloth and of such colours, as they haue heretofore vsed to weare (except it shall not be lawfull to any of them to weare Vcluet, Damaske or Satten of the colours of Crimson, Violet, Purpure, or Blewe, otherwise then by the content of this act in any of the clauses before mencioned, is by reason of their landes, or otherwise permitted, limited or assigned.) Ne shall this act extend to Ambassadors or other personages sent from outward Princes, or to noble men, or other comming into the Queenes Realme or other part of her obeyssance, to visite, see, or salute her Grace, or to see the countrey, and not minded to make long or continuall demurre in the same. Ne to any Wenchman, Herauld, or pursuant at Armes, Minstrels, Plaiers in Enterludes, Sights, Reuels, Iustes, Turneis, Barriers, sollemne Matches, or other Marciall

ciall feates by disguising, or to men of Warre, being in the Queenes wages of warre. Nor to any man for wearing any apparell giuen vnto him by the Queene, nor to any Swordbearer of any Citie, Borough or Towne corporate. Nor shall extend to any Utterbarrester of any of the Innes of Court, for wearing in any of his apparel such Silke and Furre, as is before limitted, for men that may dispend in land, rentes &c. for terme of life xx.li. ouer all charges. Nor to any other Student of the Innes of the Court of Chauncery, nor to any Gentleman being seruant to any Lord, Knight, Esquire or Gentleman of this Realme, whose Master may dispend xl.li. ouer all charges, for wearing by such Student or Gentleman being seruant, of doublets and partlets of Satten, Damaske, or Chamlet, or Jackets of Chamlet, which be giuen vnto them, by any of their parents, masters or kinsfolks, (so alwayes that they be not of y^e colours of Crimson, Purpure, Scarlet, or blew) or for wearing of any furies, whereof the like groweth within this Realme, Wales, or Ireland (Martins and blacke Cony except.) Nor shalbe preiudiciall to any Spirituall or Temporall person, for the wearing any ornaments of the Church, vsed for executing diuine Seruice, or for wearing their Amices, Mantels, Habites or garments of Religion, or other things, which they be vsed or bound vnto by their roomes, promotions, or Religions. Ne to any Graduats, Beadles, or ministers to the Graduats in Uniuersities and Schooles, for wearing of their habites or hoodes wth furies, linings or otherwise, after such forme as heretofore they haue bene accustomed to do. Nor to any person for wearing of any linnen cloth made or wrought out of y^e Queenes obeysance. Ne to any person being of the degree of a Gentleman, for wearing of any Shirt, made, wrought, or embroidered with thread & Silke onely, so the same worke or embroidery be made within this Realme of England, Wales, Calles, Berwicke, or the Marches. 24 H. 8. 13.

17 ¶ No person borne within this Realme or the dominions of the same, shall weare any maner of silke in or vpon his Hat, Bonet, Night cap, Girdle, Scabard, Hose, Shoes, or Spurre leathers, vpon paine of iii. Moneths imprisonment, and forfaiture of x.li. for euery dayes wearing, except he be the sonne and heire of a Knight, or of or aboue the degree of a Knights sonne or daughter, or wife to any of them, or may dispend xx. pound by the yeere, in lands, offices, fees, or other peerely reuenues for the terme of life, or bee worth in goods two hundred pound. And except them which haue bene, be, or shalbe Mayor, Bailife, Alderman or head Officer, in any Citie, Borough, or Towne corporate, & their wiues, and the Queenes seruants in ordi-

These onely be allowed to weare silke.

Apparell. Appeales and Prouocations.

nary wages attendant and wearing the Queenes ordinarie liueries, and women which may weare in their Cappes, Hattes, Birdles, and hoodes, as they might vse and weare lawfully before the making of this act. 1. and 2. *P. & M.* 2.

The Master
shall put his
seruant offen-
ding, forth of
seruice.

18 **C** If any person knowing his seruant to offend contrary to this statute, do not put him forth of his seruice within xiiii. dayes next after such knowledge had (except he be his *Wrentise* or hired seruant, which he may keepe to the ende of his terme) or els being put forth of his seruice doe retaine him againe within one yeere next after the offence, he shall forfeit for euery such offence *℥.li.* to the Queene and *℥.ii.* to be recouered by A. J. &c. wherein no *W. &c. ℥. or P. &c.* 1. and 2. *P. and M.* 2. See Corporation, 8. Iustice of peace, 42. maineprise 11.

1 Where the wiues apparell doeth enforce the husband to keepe any horse or armour, *S. Armour. 3. Horses. 11.*

2 Who may weare any veluet Cap, or veluet hatte, and who not. *S. Hattes. 5.*

Appeales and Prouocations.

Appeales
from the
Archdeacon
or his Official.

In such cases where heretofore any of the Queenes subiects or re-
sidents haue vsed to pursue, prouoke, or procure any appeale to the
Sea of Rome, and in all other cases of Appeales, in or for any causes
testamentarie, causes of Matrimonie, and diuorces, rights of Tithes,
oblations and obventions, they may and shall take, haue and vse
their appeales within this Realme and not els where, in maner
and forme ensuing, and not otherwise, that is to say, first from the
Archdeacon or his official, if the matter or cause be there begunne, to
the Bishop Diocesan of the sayd Sea, if in case any of the parties be
griued. 24. *H. 8. 12. 1. Eliz. 1.*

Appeales
from the
Bishop or his
Commisarie.

2 **C** And if it be commenced before the Bishop Diocesan or his
commisarie, from the Bishop Diocesan, or his Commisarie, within
xv. dayes next ensuing the iudgement or sentence thereof there gi-
uen, to the Archbishop of the Province of Canterburie, if it bee with-
in his Province: And if it be within the Province of Yorke, then to
the Archbishop of Yorke, and so likewise to all other Archbishops in
other the Queenes Dominions, as the case by order of Iustice shall
require, and there to be definitiuelly and finally decreed and adiudged
according to Iustice, without any other appellation or prouocation
to any other person or persons, court or courts. 24. *H. 8. 12. 1. El. 1.*

Appeales
from the
Archdeacon of
an Archbis-
hop.

3 **C** And if the matter or contention, for any of the causes afore-
said, be or shall be commenced by any of the Queenes subiectes or re-
sidents, before the Archdeacon of any Archbishops or his Commis-
ry,

ry, then the partie griued shall or may take his Appeale within xv. dayes next after Sentence there giuen to the Court of the Arches or Audiance of the same Archbishop, and from the sayd Court of the Arches or Audiance within xv. dayes then next ensuing, after iudgement or Sentence there giuen, to the Archbishop of the same Province, there to be definitiuelly and finally determined, without any other proces or appeale thereupon to be had or sued. 24. H. 8. 12. 1. El. 1.

4 ¶ Every matter, cause and contention that shall be commenced by any of the Queenes subiectes or resiants, for any of the causes aforesaid, before any of the said Archbishops, shall be before the same Archbishop definitiuelly determined, decreed, or adiudged, without any other Appeale, Prouocation or foraine Proces out of this Realme, to be sued, to the let, or derogation of the said iudgement &c. otherwise then is by this act limited and appointed. Sauing alwayes the prerogative of the Archbishop and Church of Canterbury in all the foresaid cases of appeales to him, and his successors, to be sued within this Realme, in such wise as they haue bene accustomed to haue heretofore. 24. H. 8. 12. 1. El. 1.

Causes commenced before an Archbishop

The prerogative of the Archbishop of Canterbury.

5 ¶ For lacke of Justice at or in any the courtes of the Archbishops of this Realme, or in any the Queenes Dominions, it shall be lawfull to the parties griued, to appeale to the Queenes Maestie in her Court of Chauncerie, and vpon every such appeale, a commission shall be directed vnder the great seale to such persons as shall be named by the Queenes highnesse, her heires or successors (like as in case of appeale from the Admirals court) to heare and definitiuelly determine such appeales, and the causes concerning the same, which Commissioners shall haue full power to heare, and definitiuelly determine every such appeale with the causes and all circumstances concerning the same. And such Iudgement and sentence as the said Commissioners shall make and decree in and vpon any such appeale, shall be good and effectual and also definitiue, and no further appeales shall bee had or made from the sayde Commissioners for the same. An. 25. H. 8. 19. 1. Eliz. 1.

Appeales from the Archbishops Court into the Chauncerie.

6 ¶ And in case any cause, matter or contencion, for the causes before rehearsed, or any of them shall come in contencion for any of the same causes, in any of the foresaid Courtes, which hath, doth, shall or may touch the Queenes heires or successors, Kings or Queenes of this realme, then the partie griued shall or may appeale from any of the sayd Courtes of this realme, where the sayd matter shall happen to be ventilat, commenced or begun, to the spirituall Prelats of the vpper house assembled by the Queenes writ in the conuocation being,

Appeales in causes touching the Queen.

Appeales and Prouocations.

being, or next ensuing within the Province or provinces, where the same matter of contention shall be begun, so that every such appeale be taken by the partie grieved, within xv dayes next after the iudgement or sentence thereupon giuen. And what soeuer shall be done, affirmed, determined, decreed and adiudged by the foresayd Prelates of the vpper house of the saide conuocation, concerning or belonging to the Queene, her heires and successours in any of the foresayde causes of appeales, shall stand and be taken for a finall sentence, iudgement and determination, and the same matter so determined neuer after shall come in question and debate to bee examined in any other Court. 24. H. 8. 12. 1. El. 1.

**Punishment
of the offender**

**S. Premunire
re. 5.**

**Appeales to
Rome.**

**Appeales in
ciuill and ma-
rine causes.**

7 ¶ If it shall happen any person to pursue or prouoke any appeale contrary to the effect of this act, or refuse to obey, execute and obserue all things comprised within the same, concerning the said appeales, prouocations and other forreine proces to be sued out of this realme, for any the causes aforesaid, then hee, his procurours, fautors, aduocates, counsellors and abbettours, and euery of them shall incurre into the penalties ordeined in the statute of Premunire made, 16 R. 2. and with like proces to bee made against the saide offendours as in the same statute appeareth. 24. H. 8. 12. 25. H. 8. 19. 1. El. 1. S. 25. H. 8. 19. that if any person prouoke or sue any maner of appeales of what nature or condition soeuer they be, to the Bishop or Sea of Rome, or doe procure or execute any Proces from the sea of Rome, or by authoritie thereof, to the derogation or let of the due execution of the foresaid statute, then he, his counsellours &c. shall incurre into the penalties ordeyned in the statute of Premunire, made 16. Rich. 2. But by the statute of 13. Eliz. 2. the getting of any Bull, writing or instrument whatsoever from Rome, containing any matter or cause whatsoever, is high treason. See Rome. 2.

8 ¶ Euery such iudgement & sentence definitiue as shall be giuen, or pronounced in any ciuill or marine cause, vpon appeale lawfully to be made therein, to the Q. in her court of Chauncery by such commissioners or delegates as shall be appointed by her Maiestie, her heires or successours by commission vnder the halfe seale, as it hath bene vsed in such cases, shall be final, and no further appeale shall be had or made from the said iudgement or sentence definitiue, or from the said commissioners or delegates, for, or in the same. 8. El. 5.

1 ¶ That euery Ecclesiasticall iudge shall adiudge costs to the other partie vpon appeale made in any suite for subtraction of tythes or offerings. S. Tythes. 21.

ALl Appeales of things committed within the Realme shall bee tryed and determined by the Lawes of the Realme: And of things committed out of the Realme, before the Constable and Marshall of England. And no appeale shall be pursued in the parliament, 1. H. 4. 14. But all Treasons, and misprision of Treason committed out of this Realme, shall be tryed in the kings Bench or in such Countie of this Realme as the Queene by Commission shall assigne, 26. H. 8. 13. 35. H. 8. 2. 5. Ed. 6. 11. S. Treason. 10.

In what places appeales shall be pursued

2 **I**f the appellant in appeale doe declare the deed, the yeere, the day, the houre, the time of the King, and the Towne where the deede was done, & with what weapon he was slaine, the appeale shall stande in effect, & the appeale shall not be abated for default of Fresh suite, where a man doeth sue within the yeere and the day after the deede. Glo. 6. Ed. 1. 9.

The declaration in appeale of murder. Within what time an appeal of murder shall be commenced.

3 **N**o person shall be outlawed for appeale of commaundement, force, ayde, or receipt, vntill the Principall be attained by Utlary, or in other maner. But the Appelloz shall not let to attach his appeale at the next Countie, aswel against the Accessorie as against the Principall. But the Exigent against the Accessorie shall stay, vntill the Principall be attained by Utlary or otherwise. Westm. 1. 3. Ed. 1. 14. And if any be appelled of an Act done as principall, they that be appelled as accessories shall be attached, and surely kept, vntil the Principall be attained. Officium Coronatoris. 3. Ed. 1.

Exigent in appeale against the principall & accessorie.

4 **N**one shall be taken or imprisoned by the appeale of any woman for the death of any other then of her husband. Magna Charta 9. H. 3. 34.

Appeale of a woman.

5 **W**hen any appealed of Felonie doeth acquit himselfe in the Queenes court in due maner, at the suite of the appellant, or the D. the Iustices before whom the appeale shall bee heard and determined, shall punish the appellant by a yerres imprisonment, and neuerthelesse such Appellant shall yelde to the Appellee damages by the Iustices discretion, hauing respect to the imprisonment or arrest that the partie hath sustayned by reason of such appell, & to the slander which he hath receyued, and also he shall pay a grieuous amercement to the Queene. And if the Appelloz be not sufficient to answer damages, enquirie shall be made by whose abbetment the Appell was maliciously commenced, if the appellee desire it. And if it bee found by the same Inquest, that any man is abbettour through malice, he shall be distrained by a Iudiciall writte at the appellees suite, to appeare before the Iustices, & if he be lawfully convicted of such abbetment by malice, he shall be imprisoned and restore damages, as is aforesaid of the Appellant.

The appellee being acquitted the appellant and abbettors shall be punished.

Approuers. Approuements.

**Procuroys of
appeale in a
forreine Coun-
tie.**

Appellant. Westm. 2. 13. Ed. 1. 12. And any person indicted or appealed of felonie or Treason in a forreine Countie, shall in an action vpon the case, recouer treble dammages against euery procurer of such indictment or appeale, after he is duely acquitted by Verdict, & like proces shal be in the same as in an action of Trespasse, vi et Armis, 8. H. 6. 10. See Coroners. 7. 8.

1 Within what time & before whom an appeale of murder shal be commenced. S. Murder. 4.

2 Howe the defendant in appeale of Maime shalbe vsed. S. Coroners. 8.

3 That appeale of murder may be comenced in one Countie of the death of any person stricken or poysoned in an other Countie. S. Triall. 1.

4 In what case appeale of murder may be comenced against a man arrayned at the Queenes suite. S. Murder. 3.

5 Appeale against any person dwelling in a forreine Countie, See Indictment. 3. Triall. 1.

Approuers.

**Appeales by
approuers.**

Who soeuer shall be appealed by any approuers remaining in the gaoles, which y^e Iustices of gaole deliuerie shal deliuer, in what place soeuer of the realme the persons appealed shal remaine, immediatly the sheriffe of that Countie where such persons appealed be conuersant or may be found, shall be commaunded by the Queenes writtes vnder the testimonie of the same Iustices, that he shall take those persons appealed, & conuey them to the gaole where the approuers by whose appeale they be apprehended, be imprisoned, & the Sheriffe or Bailor of that prison shal receiue them, and there they shall answer before the same Iustices. And if they put themselves vpon the countrey, the Iustices shall send by a Iudicial writ to the Sherife of the Countie where the felony was committed, that he shall returne an enquest before them at the place where the approuers doe remaine. Stat. de appellatis. 28. Ed. 1.

1 That it is felony for a Gayler to cause a prisoner to become an approuer. S. prisoners. 9. Felony 17.

Approuements.

**Lords may ap-
proue against
their tenants.**

The Lordes of wastes, woods and pastures (which haue enfeofed their free holders of smal tenements within their great maners) may approue of the same wastes, woods & pastures, notwithstanding the contradiction of their tenants, so that the same tenants may haue sufficient pasture vnto their tenements with free ingresse and regresse to the same. Merton. 20. H. 34.

2 ¶ The foresaid statute prouided betwixt the Lorde and his tenants, shall take place betwixt the lords of wastes, woods & pastures, and their neighbours, so that the Lords leauing sufficient pasture to their men & neighbours, may approue the residue. And this shalbe obserued of them which claime pasture pertaining to their freehold. But if a man claime common of pasture by a speciall feoffement or graunt for a certaine number of cattell, or by any other meanes, then by common right (seeing couenant doth abrogate Lawe) he shall recouer his owne according to the graunt. Westm. 2. 13. Ed. 1. 46.

Lords may approue against their neighbours.

Common in grosse.

3 ¶ And if such tenants or neighbours do bring an assise of common of pasture, if it be found before the Iustices that they haue as much pasture as is sufficient for their tenements, and that they haue sufficient ingresse and regresse from their tenements vnto their sayde pasture, they shal hold them selues contented, and their lords of whom they complained shall be quiet and make their commoditie of the residue. But if it be found that their ingresse and regresse were any thing hindered by the Deforceours, or that they had not sufficient pasture, then they shall recouer their seison by viewe of the Iuroys, so that by their discretion, and othe, they shall haue sufficient pasture, ingresse & regresse, and the disseisors shalbe amerced, and render dammages. 20. H. 3. 4. 13. Ed. 1. 46.

Approuement leauing sufficient common, and passage.

4 ¶ By occasion of a Windmill, sheepe house, Dairie, augmentation of a necessary Court, or Curtilage, no man shall be grieved by Assise of common pasture. Westm. 2. 13. Ed. 1. 46.

A windmill, sheepehouse, court, Dairie &c. may be approued. Treble dammages.

5 ¶ All such person and persons which shal bring assise vpon any branch or article of any of the foresaid statutes, and haue iudgment to recouer, shal haue his or their dammages trebled by the iudgement of the Court, where such assise and iudgement shalbe had. 3. Ed. 6. 3.

6 ¶ If a Ditch or hedge (made by any person that hath authoritie to approue,) be in the night or otherwise priuily throwne downe, and it cannot be knownen by the verdict of the assise or Jury who did it, nor the inhabitants of the next townes will accuse them that be guiltie, the Townes next thereabout adioyning shalbe distrayned to leuie the hedge or Ditch at their owne charges, and also to render dammage. Westm. 2. 13. Ed. 1. 46.

Ditch or hedge of ground approued throwne downe.

7 ¶ The foresayd two statutes made 20. H. 3. & 13. Ed. 1. nor any thing in any of them conteyned, shall extend to any houses with ground builded vpon commons or waste grounds (before 4. Nouem. An. 1549.) with ground vnder the quantitie of thre acres and not above, inclosed to and with the same. Nor to any Garden, Dycharde, or pond inclosed before the sayd day, out of, or in such wastes or groundes which

Houses with grounds vnder thre acres

Gardens, Dychards, ponds

which exceede not the quantitie of two acres, nor shall cause any person to lose any penaltie for the same. But if any such house hath bene before the sayd day builded vpon any such waste ground, and that there be aboue thre acres inclosed to the same, then the sayd house and thre acres parcell of the same inclosure shall still continue, and the ouerplus of the sayd thre acres shall and may bee layd open by the owner of the same wastes. 3. Ed. 6. 3.

Archerie.

All men within
lx. yerres of age
shall shoote.

Every man being the Queenes subiect not lame, decrepit, maimed, nor hauing any other lawfull or reasonable cause or impediment, being within the age of lx. yerres (except spiritual men, Iustices of the one bench and of the other, Iustices of assise, and Barons of the Eschequer) shall exercise shooting in long bowes, and also haue a bow and Arrowes continually in his house, to vse, and doe vse himselfe in shooting, & euery father, ruler & gouernor, shall bring vp those which be in his house of tender age in knowledge of shooting. 33. H. 8. 9.

Men children
betwixt vii.
yerres and xvi.

2 If any man suffer any man child being his sonne or man seruant taking wages, betwixt the age of vii. yerres, & xvii. to remaine in his house without a bowe & two arrowes, by the space of one moneth together, then the master or father shall forfait for euery default vi. s. viii. d. If the said seruāt take wages, the master may buy the said bow and arrowes and abate him of his wages. 33. H. 8. 9.

Men betwixt
xvii. & lx. yerres
of age.

3 If any seruant taking wages, and able to shoote, being betwixt the age of seuentene yerres and thre score, lacke a Bowe and foure arrowes by the space of one moneth together, hee shall forfait for euery such default vi. s. viii. d. 33. H. 8. 9.

Shooting at
rouers.

4 If any vnder y age of xxiii. yerres shall shoot at any standing pyck, except it be at a rouer, whereat he shall change his marke euery shoote, he shall forfait for euery shoote doing the contrary, iiii. d. 33. H. 8. 9.

Shooting w
rouing shafts.

5 If any aboue the age of xxiii. yerres doe shoote at any marke of xi. score yardes or vnder, with any pyckshaft, or flight, he shall forfait for euery shoote vi. s. viii. d. 33. H. 8. 9.

Aliens shal
not conuey
bowes or
shafts be-
yond the Sea.

6 No stranger borne out of the Queenes obeyssance not being Denizen, shall conuey or do to be coueyed, giue, sell, or exchange into any partes out of the Queenes obeyssance any long Bowes, Arrowes or shafts, without the Queenes speciall licence, vpon payne of forfeiture of the same, wheresoeuer they shall be taken, or the value thereof within the Queenes power, and vpon payne of imprisonment without baile or mainprise, untill such time he so being in warde, hath made a reasonable fine to the Queene for his offence before the Iustices of peace,

peace, or two of them in their Sessions in the same Countie where he shalbe committed to ward, or finde sufficient surtie for the payment of the same fine. 33. H. 8. 9.

7 ¶ No person not being borne within the Queenes obeysance not made Denizen, shal vse within the Queenes obeysance shooting with long Bowes without the Queenes licence, vpon paine of forfaiture of such bowes, arrowes & shafts, as they shalbe found so shooting with. And euery of the Queenes subiectes haue authoritie to take and seise the same forfeitures to his owne vse. 33. H. 8. 9.

No alien shall use shooting.

8 ¶ If any Bowyer, Fletcher, Stringer, or Arrowhead maker repairing to the citie or suburbes of London, & there making his dwelling and abiding, being not a free man of the saide Citie, neither being scot nor lot within the same Citie, shall refuse to depart from the sayd Citie, suburbes, streetes, lanes, and places neere the same, to goe & inhabit such other citie, borough or towne of the realme of England as is destitute of such artificers, and there to exercise his craft and facultie for y^e maintenance of Artillary, whensoever warning shall be to him giuen by the Queenes honorable Counsell, y^e Lord Chancellor of England, the Lord Treasorer, Lord priuie seale, or one of them; then he so refusing shall forfait for euery day that he shall make his abode contrary. xl. s. 33. H. 8. 9. S. Iustices of peace. 63.

Bowyers and fletchers of London being commanded shall dwell els where.

1 Who shal haue the forfeitures giue by this statute, & within what time the suite must be commenced. S. playes 7. & c.

Armour.

Annuities, fees, or copiholds of estate of inheritance or for life, vnder xxx. li. shall not be charged, & being aboue xxx. li. shal be charged according to y^e rate of goods. But no man shalbe charged both for his lands and also for his goods, Annuities, &c. 4. and 5. H. and H. 2.

Annuities, fees, copyholds, howe farre charged.

Armour by reason of the wines appasell.

2 ¶ Euery person temporall (being of ful age, and not in warde, whose landes amount to the peerely value of C. li.) shall keepe a gelding meete for a light horseman, with sufficient harnesse and weapon for the same, whose wife (being not diuorced, nor willingly absenting her selfe from him) doeth weare any Gowne or Peticoate of silke, or any Veluet in her Kettle or in the lining or other part of her Gowne, (other then in the Cuffes or pursles) or any French Hoode, or Bonet of Veluet, with any Abiliment, Paffe, or edge of golde, pearle or Stone, or any chayne of golde about her necke, or in her partlet, or any other her apparell, (except he bee charged by any other braunch of this statute to keepe any horse, or gelding in such maner as euery temporall person hauing landes &c. of the peerely value of C. markes, is by this act charged to maintaine,) 33. H. 8. 5. 4. and 5. H. & H. 2. See Horses 11.

Horses

Armour.

Horses on geldings, Demilaun- ces with Armour for them, wher- of the one halfe shalbe Horses at the least with furni- ture.	Lyght Horses with their furni- ture of harnais & wea- pon,	Corse- lets fur- nished.	Almain ryuets Plate Coates Erigan- dins or Corse- lets fur- nished,	Pykes.	Long Bowes.	Sheafs of Ar- rowes.	Steele Cappes or Sculs.	Black Billes or Hal- berds.	Har- que- butts.	Mori- ans or Sallets.
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Every per-
son temporal
shall keepe
ec. which
hath estate
of inheri-
tance or
freehold in
landes ec.

1000. li. 6.	10	40	40	40	30	30	30	20	20	20
1000. marks. 4.	6	30	30	30	20	20	20	10	10	10
400. li. 2.	4	20	20	20	15	15	15		6	6
200. li. 1.	2	10	10	10	8	8	8		3	3
100. li.	2	3	3	3	3	3	3		2	2
100. marks	1	2	2	2	2	2	2		1	1
40. li.		2	2	2	1	1	1		2	2
20. li.		1		1	1	1	1		1	1
10. li.			1		1	1	1		1	1
5. li.			1		1	1	1	1		

Goodes.

1000. mar.	1	2	2	2	4	4	4		3	3
1. or 18. Corselets furnished.										
400. li.	1. or 9 corselet.	1	2	1	2	2	2		1	
200. li.		1	2	1	2	2	2		1	1
100. li.		1	1	1	2	2	2			
40. li.			2		1	1	1	1		
20. li.			1		2	2	2	1		
10. li.					1	1	1	1		

Penalties
for not ha-
ving with
in 3. mo-
neths for-
seited to p
the Queene
and In-
former to
be recon-
ced by. B.
B. P. J.
wherein
no C. W.
C. P. &c.

10. li. the Horse. 3. li. the the Demi- lance & the furni- ture. 3. li.	10. li. gel- ding, 40. s. 20. s. 3. li. the furni- ture.									

4. & 5. P. & 2.

3 & 4

3 The inhabitants of euery Citie, Borrough, Towne, parish, and hamlet within this Realme (other then such as are specially charged before in this act) shall haue, finde, keepe, sustaine and maintaine at their common charges and expenses such harneis and weapon, and as much thereof, as shalbe appointed by the commissioners of our soueraigne Lady the Queene, her heires and successors, for the musters or viewe of Armour, within such Citie, Borrough, &c. there to be kept in such place as by the said commissioners shall be appointed. And the numbers and kindes thereof shalbe written in a payer of Indentures, to be made betweene the sayd commissioners, or two of them at the least, and twelue, eight, or foure of the chieffest of euery such Citie, Borrough, &c. whereof one part shall remaine with the chiefe officer of the same Citie, Borrough, &c. and y other with the clarke of the peace of the shire or Countie, where euery such citie, borrough, &c. shall stand or be. And if the inhabitants of euery such Citie, Borrough, &c. other then such as are specially (as is aforesaid) charged, shall lacke or want such harnesse, or weapons, or any part thereof, as shalbe vnto them appointed by the sayd commissioners for the musters or view of armour, (as is aforesayd) by the space of any thre moneths together, next after any such appointment made, then the same inhabitants shall forfait for euery the sayd thre moneths for euery such harnesse or weapons so lacking, after the rate aboue limited to the Q. and J. to be recouered in any of the Queenes courts of recorde, by B. P. A. or J. wherein no W. C. or P. &c. And the Lorde Chauncelloz of England for the time being, shall haue authoritie by vertue of this act, from time to time to graunt out commissions, vnder the great seale, to the Iustices of peace within euery Shire or Countie of this Realme, or to so many of them as by his discretion shall be thought conuenient, for the appointing and limiting of the said harnesse and weapons, to be found, kept, and maintained in euery such citie, borrough &c. at the common charges of the inhabitants thereof, as is aforesaid. And the Lord Chauncelloz of England, or keeper of the great Seale for the time being, shall and may from time to time by vertue of the Queenes commissiō, name, assigne and appoint commissioners in euery Citie, Borrough and towne corporate, wherein there be Iustices of the peace, as well in England, as in Wales, so many of the same Iustices of peace with such and as many other persons to be ioyned with them, dwelling out of the sayd cities, borroughs, &c. as he or they shal thinke meete to take view of armour in euery of the same cities, borroughs, &c. according to this present act, and also to assigne what harnesse and armour shalbe provided

With what
armour
townes shal
be charged.

Armour.

and by the inhabitantes of euery such citie, borough, and towne corporate (as is aforesaid) according to this present act. 4. & 5. P. & M. 2.

If the def. doe
plead that the
furniture can
not be gotten.

4 ¶ If any person aforesaide, being impeached for any forfeiture, for not hauing or keeping such furniture of Corselets, pykes, harquebuts, or murrians as is aboue limited, doeth plead that the same furniture could not be prouided for want of the same within this realme, the same matter of want and lacke shalbe allowed a good and sufficient answer and barre in the lawe, if it be true: but if it be denied or trauersed, thereupon an yssue shalbe ioyned and tryed onely by the certificate of the Lordes Chauncelloz, Treasorer, President to the counsell, steward of the Queenes household, priuie seale, Admiral, and the Lord Chamberlayne of the Queenes household, or thzee of them in witting vnder their seales &c. 4. & 5. P. & M. 2.

If the Armour
or horse be lost
in seruice.

5 ¶ If it shall fortune the furniture of Armour aforesaye or any part thereof to be lost or spent in any seruice of defence of this realme, or els the horses or geldings aforesayd to be killed or destroyed, or by some other occasion to be dead, then no person shalbe charged with any forfeiture aforesayd, for not hauing such quantitie or number of Armour, horses or geldings as is aforesayd, so that he within one yere next after such losse doe supplie the same againe in all pointes according to the true meaning of this Act. But the want of any gauntlet or gauntlets shal not be accompted for any lacke of furniture for a Corselet. 4. & 5. P. & M. 2.

The want of
a gauntlet.

Inhabitantes
in Wales, Lan-
cashire, Chesh-
shire.

6 ¶ This Acte shall not charge any person abyding within the Counties of Northwales, Southwales, the Countie Palantine of Lancaster, or Chester, with the finding of any harquebut: But euery of them may keepe in stead thereof one long Bowe and one sheafe of Arrowes, besides such other armour and munition as is by the lawes of this Realme appoynted. 4. & 5. P. & M. 2.

No man shall
be twise trou-
bled for one of-
fence, but shall
be presented
within the
yere.

7 ¶ If any person shalbe conuicted by vertue of this Act for any default mencioned in this Act, he shall not els tynes be troubled for the same. And no person shall be impeached for any offence done contrary to this Act, vnlesse presentment or suite thereof be made within one yere next after the offence done. 4. & 5. P. & M. 2.

It doth not
discharge or
ther mens
seruice.

No weapons
or armour car-
ried in Wales,
to any assem-
blye.

8 ¶ This Act shall not discharge any tenant or fermier of his seruice or couenant toward his Lord, for the finding of horse, Armour, or weapon, or for doing of seruice by himselfe, or any other, which by the tenure of his land or farme he is bound to doe, at the time of the making of this Act. 4. & 5. P. & M. 2. S. Iustices of peace, 25.

9 ¶ No person resiant within Wales or the lordships marchers, shall

shall bring to any Sessions, Towne, Church, Faire or market (except it be upon a huy or outcry of felonie or robberie) any weapon, Privie coate, or Armour defensiue, upon paine of forf. of the same, and of imprisonment, and fine at the discretion of the Commissioners of the marches, except it be by the commaundement, licence or assent of some officer &c. 26. H. 8. 6. S. Wales. 103.

10 No man shall come before the Queenes Justices or other officers in doing their offices, with force and Armes, nor shall bring any force in affray of the peace, nor shall goe or ride armed by day or by night, nor weare sallet, scul of Iron, or other armour, vpon payne to forsaite to the Queene his armour, & his body to be imprisoned at the Queenes pleasure, except the Queenes seruants in her presence, and her officers in doing her precepts or their offices, or such as be in their company assisting them, or vpon a cry made for armes to keepe the peace in such places where such things happen. And the Queenes Justices in their precincts, Sherifes and other Officers of the Queene within their Bailiwiks, lords of Franchises and their Bailifes thereof, and Maiors and Bailifes of Cities and boroughs within the same Cities & Boroughs, and Boroughholders, Constables and Gardeins of the peace within their Wardes, haue power to put this statute of 2. Ed. 3. in execution. And the Justices assigned, at their comming into the Countrey, haue power to inquire how such officers and lords haue vsed their offices in this case, & to punish those which they finde haue not done that which belongeth to their offices. 2. Ed. 3. 3. North-hampt. 7. R. 2. 13. 20. R. 2. 1.

No man shall come armed before the Justices, nor goe or ride armed.

11 No seruant in husbandrie, or labourer, nor seruant of Artificer or vitailer, shall beare any Buckler, Dagger, or Sworde, vpon paine of forsaiture the same (except it be for the defence of the Realme in time of warre, and then by the suruey of Arrators for y^e time being, or in traueiling with their masters, or on their masters busines.) And Sherifes, Maiors, Bailifes, and Constables shall haue power to arrest, & shall arrest al offenders against this statute, & seise y^e said Bucklers, Swords and Daggers, & keepe them till y^e Sessions of the Justices of the peace, & the same shall present before the same Justices in their Sessions together with the names of them that did beare the same. But this shal not be preiudicial to the franchises of Lordes touching forsaitures due to them. 12. R. 2. 6.

No seruant shall weare any sword, dagger, &c.

1 The remedy for the owner where a Souldier doth make away his Horse or Armour. S. Capitaines. 1. 2.

2 That none in Wales shall come armed to any Sessions, Church, fayre, market, &c. S. Wales. 103.

Arrowheads. Arrests. Artificers.

Arrowheads
marked, blas-
sed, boyled.

Arrowheads.

Every arrowhead and quarrell, shall be marked with the marke of him that made the same. And if any that doe make them, doe not well boyle or brase and harden them at the poynt with Steele, hee shall forfeite the same to the Queene, and shall bee imprisoned and make fine at the Queenes pleasure. 7. H. 4. 7. S. Corporations. 10. Iustices of peace. 55.

Arresting mi-
nisters doing
diuine seruice.

Arrests.

If any of the Queenes officers or other person do arrest any priest, Clarke, or other which is doing any diuine seruice in the Church, Churchyard, or other place to that vse appointed, he shall be imprison-
ned and punished at the Queenes pleasure, and further shall recom-
pence the partie arrested. But no people of the Church shall keepe
them within the Church or Sanctuarie by fraude or Collusion. 50.
Ed. 3. 5. 1. R. 2. 15. See Preacher. 1.

Arresting
within a liber-
tie those which
holde not of
them.

2 If any men of great power or their Bailiffes, or any other (except the Queenes officers, vnto whom speciall authoritie is there-
unto giuen) either vpon the plaint of others, or vpon their owne au-
thoritie, doe attache other passing with their goods through the place
where they haue authoritie, to answere before them of contracts, coue-
nants, or trespasses committed without their power and iurisdiction,
whereas they holde nothing of them, nor within the franchise where
their authoritie is, he which offendeth shal answere to the partie grie-
ued his double dammages, and shall pay a grievous amercement to
the Queene. West. 1. 3. Ed. 1. 34.

1 Where the plaintife shall pay costes and dammages for vn-
lawfull arrests. S. Damgages. 1. 2.

2 Where and by whom Nightwalkers shalbe arrested. See
Watch. 1.

3 That all shall be ready to arrest fellows and other great offen-
ders. S. Felony. 37. 38.

Artificers.

Butailers con-
spire for the
selling of their
bitailes.

Labourers
conspire for
the order of
their worke.

If any Butchers, Bakers, Bruers, Pulvers, Cookes, Costermou-
gers or fruterers shal conspire, couenāt, promise or take any othes,
that they shall not sell their bitailes but at certaine prices: Or if any
Artificers, workemen, or Laborers doe conspire, couenant, promise
together or make any othes that they shall not doe their workes but
at a certaine price or rate, or shall not take vpon them to finish that
which an other hath begun, or shall doe but certaine worke in a day,
or shall not worke but at certaine houres and times: Then euery of
them so offending being lawfully conuicted thereof by witnesse, con-
fession

cession or otherwise, shall forfeit for the first offence x.li. to the Queene, and if he doe not pay the same within sixe dayes after conuiction, he shall be imprisoned xx. dayes, and haue only bread and water for his sustenance. And for the seconde offence, shall forfeit xx.li. or &c. suffer the punishment of the pillorie. And for the third offence &c. shall forfeite xl.li. or &c. to sit on the Pillorie, lose one of his eares, and to be taken infamous, and neuer to be credited in matter of Judgement, 2. Ed. 6. 15.

2 ¶ And if any such Conspiracie, Couenant, or promise be made by any company of any misterie of the vitaylers aforesayde with the consent of the moze part of them, then besides the particular punishment appointed for the offender, the corporation shall be dissolved to all intents, 2. Ed. 6. 15. S. Iustices of peace 56. Corporation. 7.

Conspiracie made by a company of vitaylers.

1 For the retaining, departing, working, wages, and order of Artificers. S. Laborers in all, and Iustices of peace, 66. 67. 68.

Assise.

A Man shall haue an assise of Estouers, of wood, and of profit to be taken in wood, Nuttes, Acornes, and other fruite to be gathered, of a Corrodie, of deliuering Corne and other vitayles and necessities, to bee receiued yerely in a place certaine, of Tolle, Tonnage, Passage, Pontage, Pawnage, and such like things to bee taken in places certaine. And an Assise doeth lye of the keeping of Woods, Forrestes, Parkes, Chales, Warrens, Gates, and other Bailiwikes, and offices in fee, and in all the foresayde cases the writte shall be de libero tenemento. And as the Assise doth lie of common of pasture, so doeth it of common of Turbary fishing, and such like, which a man hath belonging to his freeholde or without his freeholde by speciall deede, at the least for terme of life. And also it lyeth against him which pastureth an other mans seuerall. Westm. 2. 13. Ed. 1. 25.

Assise of Estouers, wood, Corrodie.

Tolle, Tonnage, Passage, pontage, pawnage. Assise of offices.

Assise of common Turbary fishing.

2 ¶ If tenant for terme of yeeres, or gardien of any tenement doeth alien the same in fee, whereby the freeholde is transferred vnto the feoffee, the remedie is by Assise, and the alienor shall be adiudged a disseisor, and so shall the feoffee, so that during the life of either of them, the same writ will lie. And if by the death of the foresayd persons, the sayd remedy doeth faile, then there shall be redresse by a writ of Entry, West. 2. 13. Ed. 1. 25. And the heire shall haue his recovery immediately by assise against the gardein and tenant. And the gardein shall lose during his life the custodie of the same thing recovered, and of all the residue of the inheritance which hee holdeth of the same heires, West. 1. 3. Ed. 48. 1. S. Wardes 8.

Assise against Gardein or tenant for yeeres and their Allies.

Assise.

Assise by tenant by elegit, statute, Recognisance.

3 ¶ If tenant by Elegit bee put out of the tenement, which he hath in execution, he shall haue an assise. 13. Ed. 1. 18. And so shall tenant by statute marchant, if hee bee put out. 13. Ed. 1. mercat. And in like sort shall tenant by statute staple if he be put out. 27. Ed. 3. 9. And also tenant by recognisance in the nature of a statute staple, his executors, administrators and assignes shall haue an assise, if he, they, or any of them be disseised, or put out of the landes in execution. 23. Henrie. 8. 6. And assise may be maintained by any person deforced which hath estate of inheritance, freehold, &c. in, or to any Parsonage, Vicarage, Porcion, Pencion, Tythes, Oblations, or other Ecclesiasticall profit, made or to be made temporall for the recouerie of the same. 32. Henrie. 8. 7. And the Parson of a Church may recouer common of pasture by assise. 13. Ed. 1. 25.

Assise of a parsonage, vicarage, tythes.

Assise of common by the Parson of a Church.
Assise against an officer of the Queenes.

4 ¶ If any Eschetoꝝ, Sherife, or other of the Queenes Baylives shall by colour of his office, (without speciall warrant, commaundement, or certaine authoritie which belongeth to his office) disseise any man of his freeholde, or of any thing which belongeth to his freeholde, either the disseisee at his choise shal haue assise &c. and recouer double dammages, and the defendand shall be amerced: or else the Queene vpon the disseisees complaint shal redꝛes the matter. West. 1. 3. Ed. 1. 24.

Assise against the Queenes patentee.

5 ¶ Where landes bee graunted by the Queenes patent, without any title found by inquest, or else where the Queenes entrie is not giuen by the lawe, they which be put out, or disseised of their freehold, shall haue an especiall assise of the Lord Chauncelloꝝs graunt, without suite to the Queene: and if the parties to whome the patents be graunted, doe pray in ayde of the Queene, the Chauncelloꝝ shall graunt a writ of procedendo, without further suite to the Queene. And if they which be put out, or the disseisees doe recouer against such patentees, they shall recouer their treble dammages. 1. H. 4. 8.

A special assise against a disseisor with force.

6 ¶ If any man in his owne right to his owne vse, or in an other mans right to his vse, doeth make any forcible Entry into another mans lands by way of mayntenance, or doeth take, or cary away any goods of the possessors of the freeholde after any such forcible entrie, then if the partie griued, or other lawfull man will affirme that the entrie was made in such forcible maner, the Chauncelloꝝ may graunt to the partie griued a speciall assise, and if the disseisor bee attainted of such forcible disseisin, he shall be one yeere imprisoned, and pay to the Partie griued his double dammages, and also dammages for his goods. And one of the Iustices of the one Bench, or the other, or the chiefe Baron of the Eschequer (if he be learned in the lawe) shall be named

named in euery such special assise: And no Supersedias shalbe graunted to the contrary of such assise. 4. H. 4. 8. S. Force & c. 3. & 5.

7 **A**ssise of rent issuing forth of tenements in seuerall Countiees shalbe holden in the bozder of the same Countiees, and the assise shall bee tryed by people of the same Countiees in such maner as hath bene vsed of common of pasture being in one countie & appendant to tenements in an other Countie. 7. Ric. 2. 10.

Assise of rent going forth of lands in seuerall countiees.

8 **T**he panels of speciall assises shall be arayed, and a Copie indented thereof deliuered by the Sherife to the plaintifes, tenants or defendants, by the space of fixe dayes at the least before the Session of the Iustices, if they will demaund it. And the Bailifes of fraunchises shall make their returnes to the Sherifes of all such speciall assises vi. dayes before, vpon payne of forfaiture xl. li. to the Queene by the said Sherife, or Bailife, for euery default. 6. H. 6. 2. 42. Ed. 3. 11

Copies of panel shalbe deliuered to the parties.

9 **I**f in assise brought before Iustices assigned, the Sherife be named a disseisor, to the intent that he shall not serue the writ, but to haue the same directed to the Coroners, the tennaunt may pleade, that the Sherife neither is, nor euer was disseisor nor tenant of the tenements in demand, but was named by Collusion, which being founde by the assise, the Iustices shall abate the writte, and the plaintife shall be amerced. 11. H. 6. 2. And if assise, or other writte of plea of land be brought against the Lord of auncient demesne, or against the Maior, Bailifes, and comminaltie of franchises, of landes within the same franchises, which be neither disseisors nor tennaunts, but therein named to take away their franchise, first the Iustices shall enquire by the assise whether the lord, Maior, Bailifes & c. be disseisors or tenants (if they require it) or be named by Collusion. And if it be founde that they be neither disseisors nor tenants, but named by collusion, then the writ shalbe abated, and the plaintife amerced, notwithstanding the other tenants or disseisors bee named or founde in such assises or writs 9. H. 4. 5. and if assise or any personall action bee sued of any lands within any fraunchise or auncient demesne whereof the Iurisdiction belongeth to the Lordes, Maiors, Bailifes & c. if the defendant make default to put the said Lordes, Maiors & c. from their fraunchise, then the Iustices at the request of the Lordes, Maiors, Bailifes & c. shal make enquirie by the assise & c. or by inquest & c. And if it bee founde that such defaults bee made by Collusion to exclude the Lordes, Maiors & c. of their fraunchises, cognisance or iurisdiction, the writs shal be abated, and the plaintifes amerced: And the plaintifes, Lordes, Maiors, Bailifes & c. shall haue their Challenges. 8. H. 6. 26.

The Sherife named a disseisor in assise.

Lord of auncient demesne, Maiors & c. named disseisors.

Default made to put the Maiors & c. from their Iurisdiction.

10 **I**f he which is named a disseisor doeth personally alleage any

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A disseisor by
failing of a re-
cord vouched.

Certificate of
affise.

any false exception, whereby the taking of þ Affise may be deferred, v3. that at another time affise of the sayde tenements passed betwixt the sayde parties, or that a writte of higher nature dependeth betwixt them of the same tenements, and doth vouch any Roules or recorde to warrantie, and at the day giuen, he faile of his warrant, he shall be adiudged a disseisor without recognisance of the affise, and shal restore double dammages of that which is or after shalbe founde, and also for his falshood shalbe one yere imprisoned. But if the sayd exception be alledged by a Bailife, the taking of the Affise shall not therefore be deferred, nor iudgement vpon the restitution of the lande and dammages, yet if the Lord of the same Bailife which was absent, do after come before the Iustice which tooke the Affise, & doth offer to proue by record & roules, þ affise an other time passed betwixt the same parties of the same lands, or that the plaintife withdrew himselfe in a like suit, or that a plea dependeth betwixt them by a writ of higher nature, there shalbe a writ awarded to bring the recorde before the iustices, & when the iustices doe see that the recorde would haue preuailed before iudgement, and that thereby the plaintife shoulde haue bene excluded of his action, they shall immediatly warne the partie, which first recovered to appeare at a day, at which day the defendant shall haue againe his seisin and dammages, which he first payed, with the dammages after the first iudgement giuen doubled, and he which first recovered shalbe imprisoned at the Iustices discretion. The like remedie shall the defendant haue against whom in his absence an affise passed, which sheweth any deedes or releases, vpon the making whereof the Iury was not, nor could be examined because there was no mention of them in pleading, for the Iustices vpon the sight of those writings shall award a Scire facias against the partie which recovered to appeare at a day, and also shall cause the Iurors of the same affise to come. And if they finde those writings true, by verdict or inrolment, he shalbe punished in forme aforesayde, which purchased affise contrary to his owne deed. West. 2. 23. Ed. 1. 16.

Attachement
in Affise.

11 ¶ The sherife shal not take an Oxe of him which is disseised, but of the disseisour onely: And if there be diuers disseisors named in one writ, yet he shall take but one Oxe, and he shall take an Oxe but of the price of v. s. or els the price. West. 2. 13. Ed. 1. 26.

- 1 Where the plaintife in affise may abridge his plaint. S. Abr. 1.
- 2 The remedie where the disseisor or disseisee dyeth immediatly after the disseison, or depending the suit. S. Age. 1.
- 3 Where the tenant in affise may make Atturney. S. Atturney 3.
- 4 That the Iurors in affise are not compellable to say precisely that

that it is a disseison, S. Iurors. 32.

5 For the pleading of Ioyntenancy in assise, S. Ioyntenancy, 1.

Attaint.

Vpon euery vntreue verdict giuen betwixt partie and partie in a-
ny suit, plaint, or demaund, before any iustices or iudges of re-
cord where the thing in demaund (and verdict thereupon giuen) ex-
tendeth to the value of xl. li. and concerneth not the ieopardie of mans
life, the partie griued by the same verdict shal haue a writ of Attaint
against euery person so giuing an vntreue verdict, & euery of them, &
against the party which shall haue iudgement vpon the same verdict.
And by the death of the party, or any of the petit Iurie the sayd at-
taint shall not abate, nor be differred against the remnant as long as
two of the sayd petit Iurie be aliue. And euery one that shall passe in
the same Attaint, shall haue landes & tenements to the value of xx.
Markes by yere of freehold out of ancient demesne, 23. H. 8. 3.

Attaint where
the thing exten-
deth to xl. li.

Attaint abas-
teth not by the
death of the
defendant or
any of the
petit Iurie.
What lands
eche Iuroz
must dispende.

2 **I**n the same attaint there shalbe awarded against the Iury,
the party, and the graund Iury, sommons, resommons and distresse
infinite, which graund Iury shall be of like number as the graund
Iury is nowe &c. and vpon the distresse, which shall be deliuered of
record vpon the same, open proclamation shall be made in the court
where the distresse shall be awarded, more then xv. dayes before the re-
turne of the same distresse, and euery such distresse shall be made vpon
the land of euery of the sayd graund Iury, as in other distresses is v-
sed. And in all the aforesayd proces, such day shalbe giuen, as in a writ
of dower, wherein no E. 1. H. 8. 3.

Proces in at-
taint.

3 **I**f the defendant or the petit Iuroz, or any of them appeare
not vpon the distresse, then the graund Iurie shall bee taken against
them and euery of them, that shal so make default. And if any of y^e said
petit Iurie appeare, then the partie complainant shal assigne the false
Serement of the first verdict vntreuely giuen, whereunto they of the
petit Iury shall haue none answer if they be the same persons, and
the writ, proces, returne & assignement good and lawful, (except that
the demaundant or plaintife in the same attaint hath before bene non-
suit or discontinued his suit of attaint taken for the same, or hath for y^e
same verdict in a writ of attaint had iudgement against the said petit
Iury,) but onely that they made true serement, which issue shalbe
tryed by xxiii. of the said graund Iury (for vtlawrie in a personal Ac-
tion, or cause, or excōmengement pleaded in the plaintife or demaun-
dant, is a voyd plea, whereunto he shall not be put to answer) And y^e
partie shal plead y^e they gaue true verdict, or any other matter, which
shall

The graund
Iury taken by
default of the
defendant or
petit Iurie.

What pleas
the petit Iury
may pleade.

What plea the
defendant in
attaint shall
pleade.

Attaint.

shalbe a sufficient Barre of y^e said attaint: And that plea notwithstanding the graund Jury shall be taken without delay to enquire whether the first Jury gaue true verdict or no. 23. H. 8. 3. Stat. de Attinctis. 13. Ed. 2.

The punishment of the petit Jury attainted.

4 ¶ And if they finde that the said petit Jury gaue an untrue verdict, then euery of the sayd petit Jury shall forfeit xx.li. wherof one halfe shalbe to the Queene, & the other halfe to the partie that sueth, to be leuied by Capias ad satisfaciendum, fieri facias, or Elegit, or by action of debt against euery person of y^e petit Jury so forfeiting, & against his executors and administrators, hauing the sufficient goods of their said testator not administrated. And euery of the sayd petit Jury shall seuerally make fine by the discretion of the Iustices before whom the said false serement shalbe found after their seueral offences, defaultes, and sufficiencie of euery of them. And those of the petit Jury so attainted shal neuer be after in any credence, nor their othes accepted in any part. 23. H. 8. 3.

Judgement for the plaintife.

5 ¶ If such pleas, as the partie pleadeth, which is a barre of the attaint, be found or deemed against him, then the partie that so sueth shal haue iudgement to be restored to that he lost, with his reasonable costs and dammages. 23. H. 8. 3.

Attaint of any thing personal vnder xl.li.

6 ¶ If a false verdict be giuen in any accion, suite, or demaunde before any Iustice &c. of record, of any thing personal, as debt, Trespass and other like, which shalbe vnder the value of xl.li. then the partie griued shal haue attaint with such proces, and pleas, and without delayes vt supra. And if the petit Jury be attainted, the euery of them shall forfeit v.li. to the Queene and partie &c. and also make fine by the discretion of the Iustices, and euery person that may dispend v. marke by yere of freehold out of ancient demesne, or is worth C. markes in goods, is able to passe in the same attaint. 23. H. 8. 3.

Tales into an other shire.

7 ¶ If there be not persons of such sufficiencie within the shire or place, where any of the said attaints shall be taken, as may passe in the same, then one Tales shall be awarded, vnto the shire next adioyning by the discretion of the Iustices &c. which shall be warned to appeare vpon like paines &c. and enabled to passe in the sayd attaints, as if they were dwelling in the shire where that same shall be taken. 23. H. 8. 3.

Judgement for the defendant where y^e plaintife is nonsuit or doth discontinue.

8 ¶ If the partie in attaint giuen by this act, be non suit, or discontinue the same, he shall make fine and ranfome by the discretion of the Iustices before whom the said attaint shalbe taken and depending, and the Iudgment of restitution to the partie griued, supping this act and execution of the same, shalbe had, and like Iudgement for the defendant

defendant or tenant to be discharged of restitution, as in case of a graund attaint hath bene vſed, 23. H. 8. 3.

9 ¶ All attaints ſhall be taken before the Queene in her bench, or before the Juſtices of the common place, and in none other courtes. And Niſi prius ſhall be graunted by diſcretion of y^e Juſtices vpon the diſtreſſe. And euery of the ſaid petit Jury, may appeare and anſwere by atturney in the ſayd attaint, 23. H. 8. 3. 13. El. 25.

Attaints take in the Kings Bench, comon place and by Niſi prius. Atturney in attaint.

10 ¶ If there be diuers plaintifes or demandantes in an attaint, the nonſuit or releas of any of them, ſhall not be preiudiciall to the reſidue, but they and euery of them in ſuch caſes may be ſommoned and ſeuered, like as it is vſed, when there be diuers demandantes in accions reall, 23. H. 8. 3. 13. El. 25.

Summons & ſeuerance in attaint.

11 ¶ The ſame lawes, accions, and remedy, ordeined by this Act, ſhall bee kept, for and to all them that be grieued by ſuch vnttrue verdictes of any inheritance in diſcent, reuerſion, remainder, or of any freehold in reuerſiō or remainder. 23. H. 8. 3. 13. El. 25. 15. H. 6. 5. If tenant for terme of life, in Dower, by y^e Curteſie, or in taile after poſſibilitie of Iſſue extinct, be impleaded, pleade to Enqueſt, & loſe by verdict, default, or in other maner, he to whom the reuerſion of the ſame landes be, at the time of the iudgement, his heires or ſucceſſors, ſhall haue a writ of attaint, to attaint the Jury, if hee will aſſigne the falſe ſerement, as well in the life of the ſayd tenants as after their death. 9. R. 2. 3. S. Error. 1.

Attaints of inheritance.

He in the reuerſion may haue attaint of a verdict giuen againſt y^e particular tenant.

12 ¶ A writ of attaint ſhall be graunted, as well in plea of land of freehold, or any thing touching freehold, as in plea perſonal. 3. Ed. 1. 37. 34. E. 3. 7. And as well vpon the principal as vpon y^e Damages in an accion of treſpas. And in this & all other caſes, the Juſtices ſhall not let to take the attaint for the Damages not payed. 1. Ed. 3. 6. And attaint ſhalbe graſted in pleas of Treſpas purſued aſwel by bill as by writ before Juſtices of record. 5. Ed. 3. 7. 28. Ed. 3. 8. Niſi prius ſhalbe graunted in attaint, but neither Eſſoyne of y^e Queenes ſeruiſe, nor protection ſhalbe allowed therein. 5. Ed. 3. 7. The partie greued by any falſe verdict giuen in any accion, ſuite, auowry, preſcription, title or claime, made according to the ſtatute prouided for the limitation of preſcription, may haue an Attaint, 32. H. 8. 2.

In what caſes attaint wil lie.

13 ¶ The partie grieued by any falſe verdict giuen in any of the courtes of the Citie of London, ſhal and may ſue attaint by Bill in the huſtings of London, holden for common pleas before the Maio^r & Aldermen of the ſame citie, & thereupon a precept ſhall be awarded by the ſame Maio^r to euery Alderman of the ſaid citie, or his deputie in his abſence, to certifie the names of iiii. indifferent & diſcrete perſons of

Attaint ſued by bill in the Huſtings in London.

Attaint.

of good fame, & euery of them of substance of a C.li. or more, Citizens of the same citie, dwelling in his ward, to the Maior and Aldermen of the sayd citie at the hustings then next ensuing, of which persons so certified, the sayd Maior and vi. Aldermen or moe holding the same Court of hustings, shall impanell xlviii. persons, and the Maior shall cause to be summoned the said xlviii. and also the Iuroys of the petit Jury, and the tenaunts or defendants in the sayd bill of Attaint, to appeare before the Maior and Aldermen in the same Citie, at the hustings of common pleas then next to be holden in the same Citie. And if the same Attaint happen to remaine vntaken by default of Iuroys by challenge or otherwise, vpon euery Tales granted, the said Maior & Aldermen shall impanell the sayd persons which were certified by the said Aldermen, or their deputies, & omitted out of the said panell, or put therein other persons being Citizens of the said Citie, and of the substance of C. li. or more. 11. H. 7. 21.

Who be sufficient to passe vpon Attaint in London.

14 ¶ None of y^e petit Jurie, ne other parties named in any such bill of Attaint shall haue any challenge to the Array, or to any person being impanelled for lacke of sufficient goods or lands. 11. H. 7. 21. And euery person being a Citizen of the Citie of London, & worth in goods CCCC. markes, may be impanelled by the Sherifes of London in euery attaint brought by writ, by vertue of the aforesayd statute of 23. H. 8. vpon any verdict giuen by the Citizens without any challenge for insufficiencie of freehold of any of them. 37. H. 8. 5.

Pleas of attaint commenced in London, shalbe tryed in London.

15 ¶ All the pleas pleaded for the tenant or defendant or by any of the Iuroys of the petit Jury in the same attaint, & triable by any Jurie, shalbe tryed win the same citie, & by the Enquests of the same, and in none other place ne Countie, 11. H. 7. 21. And y^e Iustices vpon attaint sued by writte according to the foresayd statute of 23. H. 8. vpon any verdict giuen by the Citizens of London, shall sit onely at the Guild Hall of the same citie, or at some other place within the same Citie, and there swear the grand Jury and take the verdicts, and the Citizens shal not be compelled to appeare in any such attaint taken vpon any vnttrue verdict giuen in London, but onely within the limits of the sayd Citie. 37. H. 8. 5.

The iudgemēt where the petit Jury in London is attainted.

16 ¶ If the grand Jury swozne in the same attaint, find that the petit Jurie haue giuen an vnttrue verdict, then the Iudgement shalbe giuen against the defendant as is vsed in attaint sued by writte, at the common lawe. And the iudgement shalbe against the petit Jurie, that euery of them shall lose xx. li. or more by the discretion of the Maior & Aldermen of the said citie, keeping the Hustings, to such vse as other issues and penalties bene forfaited in any accion or plaint commenced.

ced before the Mayor and Aldermen &c. and his body to be imprisoned, there to remaine without baile or mainprise vi. moneths, or lesse, by the discretion of the Mayor & Aldermen &c. and to be disabled for ever to be sworn in any Jury before any temporal Judge. But the iudgement in such attaint shall not extend to any landes or tenements, ne to other punishment of the petit Jury. 11. H. 7. 21.

17 ¶ If it be found by the grand Jury, that the petit Jury haue giuen a true verdict, then the graund Jury shall haue auctoritie to enquire if any of the petit Jury receiued any summe of money, or other reward or promise of money, or other reward, of the named defendants or tenants in the same attaint, or of any other person, by the commandement, couin or assent of any of them, for the intent of their verdict giuing, whereupon the same attaint is grounded, and after any such corruption by the said grand Jury found, then the Juror that is so found defectiue in taking &c. shall pay to the plaintife named in y same attaint x. times the value of the summe, or other reward so taken, or promised, and shall suffer imprisonment wout bayle or mainprise vi. moneths or lesse, by the discretion of the said Mayor and Aldermen, and shalbe disabled for euer, to be sworn in any Jury, before any temporal Judge: And such defendant or tennant, in the same attaint shall pay to such vse as other penalties bene forfeited within the same citie, x. times the value of the summe of money or other reward, by him so giuen to any of the said petit Jury, & shalbe imprisoned without baile or mainprise, during vi. moneths or lesse, by the discretion of the said Mayor and Aldermen. 11. H. 7. 21.

The iudgement where the first verdict is affirmed.

Enquire of the taking of rewards.

18 ¶ If any debts and dammages, or costes be recouered in any accion whereupon such attaint is grounded, and by the same attaint it be found that the petit Jury hath giuen a false serement, then for the recovery and restitution of the same debt, dammages and costes, the plaintife in euery attaint shall and may sue an accion of debt against the same defendant or tenant, by Writ, Bill or Plaint &c. wherein no W. &c. 11. H. 7. 21.

Remedy for the debts and damages recovered in the first accion.

19 ¶ If any plaintife in any such attaint be nonsuit, or if the first serement therein be affirmed, then hee shall haue imprisonment, & make fine by the discretion of the Mayor & Aldermen &c. and that fine shall be to the Mayor and Comminaltie of the said Citie. 11. H. 7. 21.

If the plaintife be nonsuit, or the first verdict affirmed.

20 ¶ If there be two or mo plaintifes in any such attaint, and any of them die or be nonsuit, the other shall be enabled to sue for the proceeding in the same attaint: and notwithstanding the death of the defendant or tenant, or any of the petit Jury named in y same attaint, so that there be two of the same petit Jury on liue, the attaint shall not abate.

The attaint shall not abate, though one of the plaintifes die or be nonsuit.

Attorney.

abate. 11. H. 7. 21.

Attaint per
me dietatem
lingue.

21 **U**pon all attaints commenced within the Citie of London vpon any record, wherein the trial and inquest was by halfe tongue, the Mayor and Aldermen shal impanel the graund Iurie, the one halfe of strangers, of good name, of goods to the value of a C.li. and more, inhabiting within the same Citie at large, and the residue of Citizens of the same value. 11. H. 7. 21.

Libertie vpon
whether statute
the partie
will sue attaint

22 **I**t is at the libertie of all persons, vpon an vntrue verdict given in any courtes of the citie of London, to sue their attaint vpon the statute made, 23. H. 8. or els vpon the statute made 11. H. 7. at their owne pleasure. 23. H. 8. 3.

1 What challenge is allowable in attaint sued by bill or writte, in London. S. Challenge. 1. 2. 3. 4.

2 What issues euery Iuror, which appeareth not in attaint shall forfait. S. Iurors. 26.

3 Attaint by an heire within age vpon a verdict past against him. S. Age. 1.

Attorney.

Suit of Court

Every free man which oweth suite to the Countie, Tithing, Hundred and wapentake, or to his Lordes court, may freely make his attorney to do those suites for him. Merton. 20. H. 3. 10.

A generall attorney.

2 **E**uery man which feareth to be impleaded before the Iustices of the Kings bench, Common place, Iustices in Eire or of assises, or in any countie before the Sherife, or in any court Baron, may make a generall attorney to pursue for him in the foresayd causes to be sued by him or against him, which attorney hath power to proceed in the same suites, vntill they be ended, or that his master doth remoue him. West. 2. 13. Ed. 1. 11.

Mise.

3 **T**he tenants in assise of nouel disseisin, may make attorneys if they wil, and also they may plead by Bailifes Stat. Eborum. And after the tenant hath appeared in assise, attaint, or Iuris vtrum, he cannot be essoynd, but may make attorney for him. West. 1. 3. Ed. 1. 41.

Attaynt.

4 **E**uery of the petit Jury in attaint may appeare and answer by attorney in the same attaint. 23. H. 8. 3. 13. El. 25.

Appeale.

5 **T**he appellant in any appeale of murder, or death of man, where battell by the course of the common lawe lieth not, may make his attorney, & appeare by the same in the sayd appeale after it is commenced, to the end and execution of the same. 3. H. 7. 1.

Suits where
in appeale
lyeth not.

6 **T**he defendants may make attorneyes in such suites where appell lyeth not, so that if they be attainted, in their absence the sherife shalbe commanded to take them, and then they shal receiue the punishment

ment that they should haue had, if they had bin present whē the iudgement was giuen. Glo. 6. Ed. 1. 8.

7 ¶ No vnder sherife, sherifes Clarke, sherifes receiuer, or bailife shalbe atturney in any of the Queenes courtes for the time he is in office, with any such Sherife. 1. H. 5. 4. Sheriffes officers shall not be attorneis.

8 ¶ No Steward, Baylife or officer of any Loyde of a franchise, which hath retorne of writtes, shalbe atturney in any plea with in the same franchise. 4. H. 4. 19. These officers shall not be attorneys.

9 ¶ If any Baron of the Eschequer, or Justice, or any of their Clarkes or officers, shal receyue any attorneis but only in the pleas & suites depending before them & their felowes, & in the Courtes where they are assigned, the same admission is voyde, Carloile. 15. Ed. 2. None shall receiue attorneis but in suits depending before him.

10 ¶ Euery Justice of the one bench and the other, and also the chiefe Baron of the Eschequer haue aucthoritie to examine outlawed persons which be sicke of any disease openly knowen, and to recorde attorneys for them: But in a writte of Capias ad satisfaciendum, the common lawe holdeth place. 7. H. 4. 13. Attorneis for outlawed persons diseased.

11 ¶ If any Atturney be openly founde in defaulte by recorde or otherwise, he shall forswear the courte, and neuer after be allowed to prosecute any suite in any of the Queenes courtes, and euery atturney shall be swozne truely to serue in their offices, and specially to make no suite in a forcine Countie. 4. H. 4. 18. The punishment of attorneys found in default.

12 ¶ In al suites wherein proces of Capias and exigent lieth, if the Attourney haue not his warrant of record, the same terme that the exigent is awarded, he shall lose x. s. to the Queene, if he be attainted thereof by examination of the Iustices. 18. H. 6. 9. Warrant of attourney entred of record.

13 ¶ Euery such person which shall bee attourney for any other person or persons being demandant or plaintife, tenant or defendant, in any accion or suit commenced in any of the Queenes courts of record at West. & plead to an issue in the same, shall deliuer or cause to be deliuered his lawfull warrant of attourney to bee entred of record for euery of the said accions or suites wherein he is named attourney, to the officer or his deputie ordeined for the receipt or entring thereof in the same terme, when the said issue is entred of record in the sayde court, or before, vpon payne of forfaiting x. li. for euery default for non deliuering of the said warrant, the one moitie to the D. & c. the other to such officer to whom & c. the same warant should be deliuered & c. to be recovered by A. B. J. & c. wherein no W. & c. E. or P. & c. And also further shall suffer such imprisonment, as by the discretion of the Iustices of the court (where any such default shalbe made) shalbe thought conuenient. 32. H. 8. 30. 2. Ed. 6. 22. 18. El. 13. When the attourney shal enter his warrant

14 ¶ There

Attorney.

Attorneys in
Norfolk, Suff-
olk, Nor-
wich.

14 ¶ There shalbe but sixe common atturneis in the Countie of Norfolk, & sixe in the Countie off Suffolke, and two in the Citie of Norwich, to be attournies in courts of record, and al the said xiiii. atturneis shalbe elected and admitted by the two chiefe Iustices for the time being, of the most sufficient and best instructed by their discretions, and the election and admission of all atturneis by the saide Iustices aboue the said number in the saide counties, shall be voyde. And if any person vsurpe, or presume to be atturney in courtes of record in the sayd Counties or Citie, otherwise then befoze is specified, & that found by inquisition, taken befoze the Iustices of peace in the sayde citie or counties (which haue power to inquire thereof in their Sessions) or in any other maner lawfully proued, thē he. ꝑ. so presumeth (if he be thereof lawfully conuicted) shall forf. xx. li. to the Q. & the J. &c. as often as he is so conuicted, to be recovered by any that will sue by action of debt. 33. ꝑ. 6. 7. In the same statute it is prouided that the sayde ordinance shoulde beginne, and first take effect at the feast of Easter then next comming and not before, if the same ordinance seeme reasonable to the Iustices. Quære whether the whole force and essence of this stat. did depend vpon the Iustices determination or onely the time of the beginning thereof.

Auditour and Receiuer.

The audit shal
be proclaimed.

¶ Every of the Queenes Auditours of ꝑ. Eschequer, Duchie of Lancaster, & Court of Wardes and Liueries, shal peerely proclayme and declare in euery Countie within their seuerall limits, in iii. or iiii. market towne or other places by the space of xx. dayes befoze their audit, when and where they will keepe their audits in the same shire, or they shall forsaite v. li. for euery offence to the Q. & J. to be recovered by A. J. &c. wherein no W. &c. E. or ꝑ. &c. 33. ꝑ. 8. 39. See Account to the Queene. 12.

Auditours fees
for enrolment.

2 ¶ If any Auditor of the Eschequer, Duchie of Lancaster or Court of Wardes and Liueries, or any of his Clarkes, or other to their or any of their vse, shall take for the inrolment of any letters patents, decrees of the same Courtes, grants or indentures of leases, or for the allowance of the same, aboue iii. s. iiii. d. he so offending shall forsaite vi. s. viii. d. for euery peny which he taketh aboue the foresayd summe, to the Queene and the Informer &c. to be recovered by A. J. &c. wherein no W. &c. E. or ꝑ. &c. And if any person doe offer to any such Auditor any such letters patents, decrees, leases &c. to be inrolled, he shall inrolle the same or asmuch thereof as shall appertaine to his office. 33. ꝑ. 8. 39.

3 Every Receiuer of the Eschequer, Duchy of Lancaster and court of wardes & lueries, which shall pay to any person an annuitie, pencion, or other rent, shall (if the same person vpon the receipt thereof wil deliuer vnto him a sufficient acquittance, sealed and signed, testifying the same receipt) receiue the same, without taking any rewarde therefore, vpon paine to forfait for euery peny or peny worth receiued vi.s.viii.d. And if the partie doe not deliuer such a sufficient acquittance, but that the Receiuer or his clarke doth make the same, he shall haue therefore iiii.d. and if he take aboue iiii.d. he shall forfait for euery peny or peny worth so taken vi.s.viii.d. And if any Treasurer, Receiuer or minister accomptant or their deputies which shall pay to any person any fee, annuitie, pencion, duetie, warrant or rent, do reteine, receiue or take of the party, to whom he shall pay the same, in way of reward or otherwise, aboue iiii.d. for euery pound that he shall pay, hee shall forfeite vi.s.viii.d. for euery peny or peny worth which hee shall receiue ouer, to the party griued, to bee recovered by A.B. or P. wherin no W. &c. E. or P. &c. 33. H. 8. 39. 7. Ed. 6. 1. S. Accomptants &c. to the Queene.

What fees euerp Receiuer shall take.

1 That the Queenes Receiuors shall enter into bond with suerties to accompt and pay such money as they may lawfully be charged with. See Accomptants to the Queene. 10.

2 For the Queenes Auditors and Receiuers precepts to Bailifes Accomptants. S. Accompt. &c. 11. 2.

3 At what time the Queenes Receiuers shall accompt, and when they shall make paiment. S. Accompt &c. 16. 17. 18.

4 When Auditors may commit accomptants to prison. See Accompt. 2.

Auowrie.

Wherefoeuer any manors, lands, tenements and other hereditamentes bee holden by any person or persons by rents, customs or seruices, if the lord of whome any such manors, landes, tenements, or hereditamentes bee so holden, distraine vpon the same landes, for any such rentes, customs, or seruices, and repleuin thereof bee sued, the lord of whome the same landes &c. be so holden may auowe, or his bailife or seruant make cognisance, or iustifie for taking the sayde distresse vpon the same landes, tenements or hereditamentes so holden, as in landes &c. within his fee or seigniorie, alledging in the sayd auowry, conuifance, and iustification, the same landes &c. to be holden of him without naming of any person certaine to bee tenant of the same, and without making any auowry,

auowrie by the land with out naming any person.

F.i.

iustification,

**Auowrie vpon
the land in Se-
cond deliuerance.**

iustification, or conuſance vpon any perſon certaine: And likewise the
Lorde, Bailife, or ſeruant ſhall make auowry, iuſtification or conu-
ſance in like maner and forme, vpon euery writ ſued of Second deli-
uerance. 21. H. 8. 19.

**Auowant
ſhall recouer
coſtes and
damages
againſt the
plaintife.**

2 **E**uery Auowant, & euery other perſon, that make any ſuch
auowrie, iuſtification or conuſance, as bailife or ſeruant to any perſon
in any Replegiary or Second deliuerance for rentes, cuſtomes, ſerui-
ces, or for damage feſant, or other rentes vpon any diſtreſſe taken in a-
ny landes or tenements, if the ſame auowry, iuſtification or conuſance
be found for them, or the plaintife in the ſame be nonſuit, or otherwiſe
barred, then they ſhall recouer their damages & coſtes againſt the ſaid
plaintifes, as the ſame plaintifes ſhould haue done if they had recoue-
red therein againſt the ſaid defendants. 21. H. 8. 19. See Damages 8.

**Such pleas &
ayde prier,
as were at the
common law.**

3 **T**he ſaid plaintifes & defendants in the ſaid writs of Reple-
giary or of Second deliuerance, and in euery of them, ſhall haue like
pleas & like ayde prier in al ſuch auowries, conuſances & iuſtifica-
(Pleas of diſclaimer onely except) as they might haue had before the
making of this Act, & as though y^e ſaid Auowry, conuſance or iuſtifica-
tion, had bene made after y^e due order of the common law. 21. H. 8. 19.

**Ioyning in
ayde.**

4 **A**ll ſuch perſons as by the order of the common lawe may
lawfully ioyn to the plaintifes or defendants in the ſayd writtes of
Replegiary or Second deliuerance, as well wout proces as by proces,
ſhall ioyn vnto the ſaid plaintifes or defendants as well without proces
as by proces, and haue like pleas, & like aduantage in all things (Dis-
claimer onely except) as they might haue done by the order of y^e com-
mon law before the making of this Act. 21. H. 8. 19. S. Repleuin.

Auowry for rents due after the eſtates in the ſame rents be deter-
mined, S. Rents. 12. 3.

Auowson.

**Wſurpation
during parti-
cular eſtates.**

If any man which hath no right, doth preſent vnto a Church during
the wardſhip of any heire vnder age, or during the intereſt of tenant
by the curteſie, in dower, tenant for terme of life, or yeeres, or tenant
in taylor, by the fraude or negligence of the warden of the ſame heire,
or of any of the aforeſaid tenants, the ſame preſentation ſhall not be ſo
preiudicial to the ſame heire, or to him to whom y^e reuerſion ſhal come
after the death of any of the aforeſaid tenants, but that after the heire
ſhall come to his full age, or the Church become voyde after the death
of any of the aforeſayd tenants, he to whome the ſame belongeth ſhall
haue the ſame action and recovery by poſſellary writ to recouer the ad-
uowſon, as the laſt anceſter of ſuch heire being of full age in the laſt
aduoydance

aduoydance falling before his death or before the demise was made for a terme, or in taylor, should haue had. And the like remedie is to be had of presentations made to Churches of the inheritance of wiues, during their couerture. Also Bishops, Archdeacons, parsons of Churches, and other ecclesiastical persons shal haue remedy by this statute, if any man hauing no right doe present vnto Churches belonging to their spirituall dignities or personages during the vacation of such dignities, parsonages, &c. West. 2. 13. Ed. 1. 5.

2 ¶ But this statute shall not bee vnderstand so largely, that the foresaid persons for whose remedy it was ordayned, shall haue their recovery by surmising that the sayde wardens or tenants did fainedly defend the suit moued by, or against them: for iudgements giuen in the Queenes court shall not be adnulled until they be defeated by Error, attaint or certificat. West. 2. 13. Ed. 1. 5.

Judgements giuen in courts of Records shalbe auoided by lawfull meanes & not by surmises.

3 ¶ If it happen after the death of the ancestor which presented, that the same aduowson be assigned in dower, or holden by the curtesie, and those tenants present, and after their death the right heire be disturbed to present, it is in his election, whether he will haue a Quare impedit or Assise of Darrein presentment, and in like sort it is of Aduowson demised for terme of life, peeres or in taylor. West. 2. 13. Ed. 1. 5.

Remedy for a disturbance after a particular estate ended.

4 ¶ If a man doe suffer a recovery of a manour whereunto an aduowson is appendant, he that doth recover the same, shall haue a Quare impedit vpon a disturbance, as he, against whom the recovery was, might haue had. 7. H. 8. 4.

The recoverer shall haue a Quare impedit of the Aduowson.

5 ¶ If there be agreement made betwixt seuerall persons which do clayme the aduowson of a Church, and inrolled before the Justices or by a fine, in this maner, that the one shall first present, and at the next auoydance another, and at the third a third, & so further, & when one hath presented for his turne, according to the agreement, and at the next auoydance he to whome the second presentation belongeth, is disturbed by any that was party vnto the agreement or some other in his steade, he that is disturbed shall not neede to sue a Quare impedit, but shal haue recourse to the Rol or fine, and if the agreement be there found, he shal haue a Scire fac. to warne the disturber to appeare within x. daies or iii. weekes, according to the distance of the place, to shew if he haue any thing to say why the party disturbed should not recover his presentation. And if he appeare not, or do appeare & can say nothing why the party disturbed should not recover his presentation by reason of any decde after the agreement made or enrolled, or the fine, he shall recover his presentation with his damages, West. 2. 13. Ed. 1. 5.

Presentation by composition.

Aduowson. Badger, Lader, Carier, Drouer.

**Usurpation by
Parceners.**

6 ¶ When an aduowson descendeth vnto Parceners, though one present twice, and vsurpeth vpon his coheire, yet he that was negligent shall not be cleerely barred, but another time shall haue his turne to present when it falleth. West. 2. 13. Ed. 1. 5.

**Plenertie of
the defendants
presentment.**

7 ¶ If the defendant doe except in assise of Darrein presentment, or Quare impedit, that the Church is full of his owne presentation, the suit shall not remaine by reason of that plenertie, so that the writ be purchased within sixe moneths, though he can not recouer his presentation within sixe moneths. West. 2. 13. Ed. 1. 5.

**Damages in
Quare impe-
dit or in assise
of Darrein pre-
sentment.**

8 ¶ Damages shall bee awarded for two yeeres value of the Church, in a Quare impedit, and Darrein presentment, if sixe moneths doe passe by any mans disturbance, so that the Bishop doe conferre, and the very patron doth lose his presentation for that time, and if the disturber haue not wherewith to restore damages, he shalbe two yerres imprisoned. If the sixe moneths be not past, but the Aduowson is recouered within that time, then damages shalbe awarded to halfe a yeeres value of the Church, and the disturber shall be halfe a yeere imprisoned. West. 2. 13. Ed. 1. 5. See prerogatiue 9.

9 ¶ When the parson of any Church is disturbed to demaunde tythes in the next parish by a writ of Indicauit, the Patron of the parson so disturbed shall haue a writte to demaunde the Aduowson of the tythes in question. And when it is disproued, the suite shall so farre forth proceede in the spirituall Court, as it was disproued in the Queenes court. Westm. 2. 13. Ed. 1. 5. S. there that writtes will lye of Chappels, Prebends, Vicarages, Hospitals, Abbeys, Priories, and other houses, which be of other mens Aduowsons.

Badger, Lader, Carier, Drouer.

**To whom and
where a bad-
gers licence
shalbe made.**

¶ If any licence be made to any Badger, Lader, Kidder, or Carier of Corne, Drouer of cattell, buyer or transporter of corne and grayne, butter and cheese, otherwise then in the generall and open quarter session of the peace holden in the Shire where the partie admitted, assigned or allowed, doeth, and by the space of thre yeeres before the Teste of his licence, hath dwelled, or other then to such person as is, or hath bene marped, is a housholder, no household seruant or Retaynor, and xxx. yeeres of age at the least, or to haue continuance for more then one yeere, or which beareth not date the day and place where the Sessions be holden, or is not signed and sealed with the handes and seales of thre Iustices of the peace, being present at the same Sessions at the least, whereof one to be of the Quorum, the same licence is voyde, and the partie which taketh the same shall forfeite fine pound

to the D. and J. to be recovered by A. J. &c. wherein no W. &c. E. or P. &c. 5. El. 12. 13. Eliz. 25.

2 **C** No person shall vpon paine of v. li. to be forfeited and recouered as is aforesaid, by authoritie of such licence, buy any Coine out of open faire or market, to sel the same againe, except he be thereunto specially licenced by expresse wordes in his licence. 5. El. 12.

Licence to buy
Coine out of a
market.

3 **C** All licences made to the said Badgers, Laders, Drouers, &c. and all recognisances taken of them by the Iustices of peace in their Sessions (that they shall not doe any thing contrary to the statute, 5. Ed. 6. 14. provided against forestallers) shall be made & written by the Clerke of the peace of the same Countie or his deputie and none other person, and the sayde Clerke shall haue xii. d. for the licence, and viii. d. for the recognisance, and for the registering of them both iiii. d. at the most, for which fee the Clerke or his deputie shall keepe a Register booke, and therein shall write the names, surnames and dwelling places of such as be licenced, with a brieve entrie of the licence and of the day, time and place where it was granted, which booke he shall bring to euery Sessions that it may appeare what number of licences bee graunted. 5. Eliz. 12. 13. Eliz. 25.

Licences and
recognisances
shalbe regis-
tered.

4 **C** This act shall not extend to preiudice the liberties of any citie or towne corporat, but euery of them may lawfully assigne and licence purueyours for the prouision of the same citie or towne corporate, as they might haue done before &c. neither shall this act be preiudiciall to the inhabitants within the Counties of Westmerlande, Cumberland, Lancaster, Chester, Yorke, or any of them, but they may doe as they haue vsed to doe. 5. Eliz. 12. 13. Eliz. 25. S. Forstallers, Iustices of peace. 32. 33.

Purueyours for
Cities and
townes cor-
porate.

Bankrupts.

If any Marchant or other person vsing the trade of Marchandize by way of bargaining, exchange, rechange, bartery, cheuisance, or otherwise in grosse or by retayle, or seeking his or her trade of liuing by buying and selling, and being subiect borne of this Realme, or of any the Queenes dominions, or Denizen, shall depart the Realme, or begin to keepe his or her house, or otherwise to absent him or her selfe, to take Sanctuary, or suffer him or her selfe willingly to bee arrested for any debt or other thing not growen or due for money delivered, wares solde, or any other iust or lawfull cause, or will suffer him or her selfe to be outlawed, or yeelde him or her selfe to prison, or depart from his or her dwelling house to the intent to defraud or hinder any of his or her creditors being also a subiect borne, of the iust

Who is a
Bankrupt.

Bankrupts.

debt or duetie of such creditor or creditors, he shall be deemed and taken for a Bankrupt. 13. El. 7.

Commissioners
shall take order
for bankrupts
bodies, lands,
and goods.

2 ¶ The Lord Chauncellour, or keeper of the great Seale, upon complaint to him made in writing, against any such person being Bankrupt as is aforesayd, hath authoritie by commission vnder the great Seale, to assigne such honest & discreete persons, as shall seeme to him good, who or the most part of them shall haue authoritie to take such order with the body of such person wheresoeuer hee or shee may be had, either in house, sanctuarie, or els where, aswell by imprisonment of his body, as with his landes, tenements, and hereditaments, aswell copie or customarie holde as Freeholde, which he shall haue in his owne right before he became Bankrupt, as also with all such landes, tenements, and hereditaments, as he hath purchased or obteyned for money or other recompence, ioyntly with his wife, childe or children, to y only vse of such offendour, or of, or for such vse, interest, right or title, as such offendour then shall haue in the same, which he may lawfully depart withall, or with any person or persons of trust to any secret vse of such offendour. And also with his money, goods, cattels, wares, marchandizes, & debts wheresoeuer they may be found or known, and cause the sayd landes, tenements, fees, annuities, offices, goods, cattels, wares, marchandizes, & debts to be searched, viewed, rented, and appysed to the best value they may, and by deede indented, inrolled in one of the Queenes Courtes of Record, to make sale of the sayd landes, tenements, and hereditaments, & of all deedes, evidences, and writings, touching onely the same, belonging to any such offendour or debtor, and also of all fees, annuities, offices, goods, and cattels, or otherwise to order the same for the true satisfaction & payment of the same creditors, that is to say, to euery of the sayd creditors a portion, rate and rate like, according to the quantitie of his debtes. And euery direction, order, bargaine, sale and other things done by the sayd persons so authorised, as is aforesayd in forme aforesaid, shall be good in lawe to all intents agaynst the sayd Offendour or debtor, his wife, heires, and children, and such persons as by such ioynt purchase with the offendour, shall haue any estate or interest in the Premisses, and agaynst all other persons clayming by, from or vnder such offendour or debtor, by any Act, had, made or done after he shall become Bankrupt, as is aforesaid, and also agaynst the Lordes of the manors, whereof the sayde Copyhold or Customary landes bee holden, their heires, successors and assignes, and euery of them. 13. El. 7.

Vendeers of
copie holdes
shall compound
with the lordes
of the manors.

3 ¶ Al persons to whom any such sale of Copyhold or Customary lands shalbe made, shal (before they shal enter or take any profit of the same)

same) compound wth the Lords of the manors, of whom the same shalbe holden, for such fines or income as heretofore hath bene accustomed to be payed therfore. And vpon euery such composition the said Lords at y^e next Court to be holden, at or for y^e said Manors, shal not only grant vnto y^e said vendee or vendees vpon request, y^e same Copy or Customary lands, by Copy of court roll of y^e same Manors, for such estate or interest as to them shalbe so sold, & reseruing y^e auncient rents, customes & seruices, but also in y^e same court admit the tenants of y^e same copy or customary lāds &c. as other Coppyholders of y^e same manors haue bene wont to be admitted, & to receiue their fealtie accordingly. 13. El. 7.

4 **C** Such of the said Commissioners as shall put the said Commission in execution, shal vpon lawful request to them made by y^e said Bankrupts, not onely make a true declaration to y^e same Bankrupts of the imploying and bestowing of their sayd landes, tenementes, offices, fees, goods, cattels, & debts so paid to their said creditors, but also make payment of the ouerplus of the same (if any such shalbe) to the said bankrupts, their executors, administrators or assignes. 13. El. 7.

Commissioners shall declare how they haue bestowed the bankrupts goods &c.

5 **C** If after any such act or offence committed, & cōplaint thereof made to the said Commissioners, or y^e more part of them by any partie grieved, as is aforesaid concerning y^e Premises, knowing, supposing or suspecting any of the goods, cattels, wares, merchandizes, or debts of such offender or debtor, to be in custodie, vse or possession of any person, or any persō to be indebted to any such offender, do make relation thereof to y^e said Commissioners or y^e more part of them: Then the sayd Commissioners or &c. haue full power to send for, & call before them by such proces, meanes, or wayes, as they shall thinke conuenient, euery such persō so known, suspected or supposed to haue any goods, debts &c. in his custodie. &c. or supposed to be indebted to such offender, and vpon his apparance to examine him as well by his oth as otherwise, by such meanes as the said Commissioners or &c. shal thinke meete for & vpon the specialtie, certaintie, true declaration & knowledge of all and singuler such goods & debts of any such offender as be suspected to be in his custodie, vse, occupation or possession, & all such debts as by himselfe shalbe supposed to be owing to any such offender. And if any such person vpon such examination do not disclose plainely and declare the whole trueth of such things as he shalbe examined of, concerning the premises to his knowledge, or do denie to sweare: Then euery such person denyng to sweare, or being examined do not declare the whole trueth concerning the premises, vpon due prooofe thereof to be made, before y^e said Commissioners, or &c. by witnes, examinatioⁿ or other wise, as to y^e same Commissioners or &c. shall seeme sufficient, shal forfeit the

Examination of such as haue bankrupts goods, or be indebted to the.

Bankrupts.

double value of all such goods, cattels, wares, marchandizes, & debts by them so concealed, and not plainly and wholly declared, which forfai-
 ture shalbe leuyed by the said commissioners or &c. of the landes &c.
 goods &c. of such person so denying to sweare, or not disclosing the
 whole trueth by such meanes, and in such maner & forme, as is before
 limitted for the principall offendour, the same forfai- ture to be imployed
 to and for the satisfaction of the debts of the sayd Creditors, in such
 like maner, rate and forme, as is aboue declared, concerning the orde-
 ring of the lands and tenements, offices, fees, goods & cattels of such
 offendour or debto- r, as is aforesayd. 13. El. 7.

**Fraudulent
 posselting of
 Bankrupts
 lands & goods.**

6 ¶ If at any time before or after that any such person departeth
 the Realme, or shall keepe his house, or otherwise absent himselfe, or
 take Sanctuarie, or suffer himselfe to be arrested, outlawed or pee-
 lde his body to prison, any person doe fraudulently by couin clayme, de-
 maund, recouer, possesse or detaine any debts, dueties, goods, cattels,
 lands or tenements, by writing, trust or otherwise which were or shall
 be due or appertaine to any such Offendour, other then such as hee can
 and doe proue to be due, by right and conscience in forme aforesayd,
 for money payed, wares deliuered, or other iust consideration to the
 iust value thereof, before the sayd Commissioners or &c. and the same
 to proceede (bona fide) without fraude or couin, then euery such per-
 son so craftely demaunding, clayming, hauing or posselting any such
 debt, shall forfai- ture double as much as he shall so claime, demaund, detaine
 or possesse, which said forfai- ture shalbe leuyed, recouered, & imployed
 in maner and fourme before rehearsed. 13. El. 7.

**How the ouer-
 plus of the for-
 faiture shalbe
 emploted after
 the creditors
 payed.**

7 ¶ If it shall fortune the creditors of any such Bankrupt to bee
 satisfied and payed of their debts and dueties, of or with the proper
 lands, goods, & debts of the sayd Bankrupts, or of, or with the same,
 and some part of the forfai- tures of the sayd double values, to bee for-
 fited as is aforesayd, and that there shall remaine an ouerplus of the
 said forfai- tures of the sayd double values, then the one moitie of the
 said ouerplus shalbe by the sayd Commissioners so executing the said
 Commission within conuenient time after the leuying thereof, payed
 vnto the Queene &c. and the other moitie shalbe distributed amongst
 the poore within the hospitals in euery Citie, Towne, or Countie,
 where any such Bankrupt shall happen to be. 13. El. 7.

**A remedie for
 him which de-
 parteth from
 his house.**

8 ¶ If any such person indebted, doe of purpose withdrawe him-
 selfe from his vsual mansion house, then vpon complaint thereof made
 to the said Commissioners, the same Commissioners or the more part
 of them haue full power to award v. Proclamations, to bee made in
 the Queenes name vpon fise sundry Market dayes in such places

ncere

neere the place where such Bankrupt hath most commonly dwelled, or made his abode, commaunding him by the same Proclamations in the Queenes name, to returne with all conuenient speede, and to peelde his body before the sayd Commissioners or one of them, at such time and place, as by the sayd Proclamation shalbe appointed. And if the said person doe not according to such proclamation repaire and peeld his body as is aforesaide, then the body of euery such offender, shall be adiudged to all intents out of the Queenes Protection. And also euery person that shall willingly and wittingly helpe to hide or conuey, or shall willingly & wittingly receyue, detaine, or keepe secretly any person so demaunded by Proclamation, shall suffer such paines by imprisonment of his body, or pay such fine to the Queenes Maiestie, her heires and successors, as to the Lorde Chauncelloz, or Lord keeper &c. (being informed thereof by the Commissioners, or the more part of them) shall seeme conuenient for his sayd offence. 13. Eliz. 7.

Conueying or
hiding him
which is de-
maunded by
proclamation.

9 ¶ If the Creditors of any such offender or debtor &c. bee not fully satisfied or otherwise contented for their debtes and dueties by the meanes before specified, the the sayd Creditors and euery of them, shall and may haue their remedie for the recouerie and leuying of the residue of their sayd debts or dueties, whereof they shall not be fully satisfied in forme aforesayd, against the sayd Offendor, in like maner and fourme, as they should and might haue had before the making of this Act. And the saide Creditours and euery of them, shall bee only barred and excluded by vertue of this Act, of and for euery such part of the sayd debts and dueties, as shalbe payd or deliuered vnto them, by order of the sayd persons as is aforesaid, and of no more portion or parcell thereof. 13. El. 7.

A remedie for
the creditors
which be not
fully satisfied,
according to
this statute.

10 ¶ If any person declared to be a Bankrupt by this Act, shall at any time after purchase any landes, tenements, hereditaments, free or Copp, offices, fees, goods or cattels, or that any such shall discend, reuert, or by any meanes come to him, before his debts due to his Creditors shalbe fully payed, or otherwise agreed for: Then the same landes, goods, cattels &c. shall by the sayd Commissioners or the more part of them, be bargayned, sold, extended, deliuered and vsed for, and towards the payment of the sayd Creditours, in such like maner as other the landes, cattels &c. of the sayde Bankrupts, which they had, when they were declared first to be Bankrupts, should or might haue bene by vertue of this Act. 13. Eliz. 7.

Extending of
landes & goods
discended vnto
or purchased
by a Bank-
rupt.

11 ¶ This act shal not extend to any landes, tenements, or hereditaments free or Copp hold, which shabe assured by any Bankrupt, before

landes couer-
ed alway before
he became
Bankrupt.

Barke.Bastardie.

before he become Bankrupt, so alwayes that such assurance be made (Bona fide) and not to the vse of the Bankrupt himselte onely, or of his heires. And that the parties to whose vse such assurance shall be made, be not, at, or before the making of such assurance, priuie or consenting to the fraudulent purpose of any such Bankrupt to deceyue his Creditoꝝ. 13. El. 7.

Barke.

Oken shall be
felled in bar-
king time only

If any person fell, or cause to be felled any oken trees, meete to be barked, where the barke is worth ii. shillings a Cart loade, aboue the charges of barking and pilling (timber to be bestowed in or about buylding or reparations of houses, ships or mills, or any of them onely excepted) but betwixt the first day of April, and the last of June, hee shall forfeite euery Oken tree so felled, or the double value thereof, to the Queene and Informer, to be recovered by A. J. &c. wherein no W. &c. E. or P. &c. 5. Eliz. 8.

Whorepoy
shall fell oken
onely in bar-
king time.

2 **N**o taker or Whorepoy of Timber, or his deputie, shall fell or cause to be felled for the Queenes vse, her heires or successours, or any Oken timber tree meete to be barked, but in barking time (Trees to be felled for building or repairing of any her Maiesties houses or shippes onely excepted,) or shall in any wise take or receyue any profite by any loppes, toppes, or barke of any tree taken by him, or shall take, carry away, or dispose from the owner any more of any tree to be taken as is aforesayd, then onely the timber of y^e same tree or trees, to be vsed & bestowed or imploied onely in, vpon, or about y^e Queenes buildings, or shippes, vpon payne to forfeite to the partie griued for euery tree, and for the loppes, toppes, or barke of euery tree xl. s. And it shalbe lawfull to y^e partie griued, of whom such trees shal be taken, or to any other for him, to withholde, retaine and keepe to himselte, all the loppe, toppe, and barke of such tree or trees, any Commission or other matter whatsoeuer notwithstanding. 5. El. 8.

Barking of
apple trees.

3 **W**hosoever shall maliciously, willingly, or unlawfully barke any Apple trees, Pearre trees, or other fruite trees, of any other persons, shall forfeite to the partie griued treble damages, to be recovered by Action of trespassse to be taken at the common lawe, and to the Queene x. li. for a fine. 37. H. 8. 6.

Bastardie.

Iustices of
peace shal take
order for Bas-
tardie.

Two Iustices of the peace, whereof one to be of the Quorum, in or next vnto the limits, where the Parish church is, within which parish any bastard begotten and bozne out of lawfull Matrimonie shalbe bozne (vpon examination of the cause and circumstance) shall
and

and may by their discretion, take order, aswell for the punishment of the mother, and reputed father of such bastard childe, as also for the better reliefe of euery such parish in part or in all, and shall and may likewise take order for the keeping of euery such bastarde childe, by charging such mother or reputed father, with the payment of money weekly, or other sustentation for the reliefe of such Childe, in such wise as they shal thinke conuenient. And if after the same order by the subscribed vnder their handes, any the sayd persons, that is to say, mother or reputed father, vpon notice thereof, shall not for their part perfourme the sayd order: Then euery such partie so making default, in not perfourming the sayd order, shalbe committed to ward to the common Gaole, there to remaine without baile or mainprise, except he, she, or they shall put in sufficient suerties to perfourme the sayd order, or els personally to appeare at the next generall Sessions of the Peace to be holden in that countie where such order shall bee taken, and also to abide such order, as the sayd Iustices of Peace, or the more part of them, then and there shall take in that behalfe (if they then and there shall take any,) and if at the sayd Sessions the sayde Iustices shall take no order, then to abide and perfourme the order before made, as is abouesayd. 18. El. 3. 27. El. 11. to continue to the end of the next parliament now next ensuing.

2 ¶ It is an auncient and approued lawe in this Realme, that he which is bozne before mariage is not legitimate to enioy any inheritance, as he that is bozne after maryage. Merton. 20. D. 3. 9.

3 ¶ In all Courtes where any suite shalbe commenced, wherein Bastardie shal be pleaded against any person, partie to the same suite, and thereupon an Issue ioyned, which by the lawe ought to bee certified by the Ordinarie, the Iustices or one of them of the same Courts before any writ of Certificate shall passe to the Ordinarie to certifie the issue so ioyned, shall make remembrance vnder their seales or seale, at the demaundant, tenant, plaintife, or defendants suite, reciting the issue, and shall certifie the same to the Chauncelour of England, to the intent that Proclamation may be made in the Chauncerie once euery moneth by the space of three Moneths, that all persons which haue any interest to obiekt against him which pretendeth to be mulier, shall be before the Ordinarie to whom the Certificate shalbe directed, to alledge, and obiekt against the partie pretending to be mulier, as the lawes of the Church do require. And the Chauncelour hauing notice of the same remembrance and issue ioyned, and being required by one of the foresayd parties, shall cause the sayd proclamations to be made in fourme aforesayd, and shall certifie the same into

He is a bastard which is bozne before mariage. Proclamations made before the writ to the Bilhop to certifie Bastardie.

Barwicke. Bishops.

into the Court where the suite shall depende. And the iustices of the Court where the suite shalbe commenced, shall make one Proclamation openly in the same Court before any Proclamation made in the Chauncerie, and another after the Chauncellour hath certified, and then the Judge shall awarde the sayd writ of Certificate to the Ordinarie, to certifie of the issue ioyned. And if any writ of Certificate be graunted before all the Proclamations in fourme aforesayd be made and certified, the sayd Certificate, and the Certificate of the Ordinarie thereupon made, shall be voyde in lawe. 9. H. 6. 11.

I By what meanes bastardie shalbe tried when it is pleaded against one borne beyond the sea. S. Abilitie 2.

Barwicke.

Marchandizes
conueied into
or out of Scot-
land shall be
brought from
Barwicke.

ALl marchandizes that shall be brought out of Scotlande, or the Isles of the same, into this Realme, Ireland, or Wales, shall bee first brought to Barwicke. And none vnder the Queenes obeysance shall buy such marchandises, before that it be bought, solde and customed there (except at Carlisle, and the Portes and Creekes pertaining to the West March.) And also none vnder the Queenes obeysance shall carry any marchandize being in England, Ireland or Wales, into Scotland, or into the Isles of the same. And none vnder the Queenes allegiance shall sell marchandize of England, Wales or Ireland, to any inhabiting in Scotland, except at Barwicke and Carleile. No marchandize shall be shipped betweene Tinnmouth and Barwicke, but onely in the Port of Barwicke. No man shall cause to be sold Salmon taken in Tweed but the Burgesles, and they that be enfranchised in Barwicke. And he that offendeth, or doth with any marchandize contrary to this ordinance, shall forfeite the same to the Q. and him that will seise, or sue for the same by A. of debt, wherein no W. C. P. 22. Ed. 4. 8.

I For payment of Mortuaries in Barwicke & the Marches thereof. S. Mortuaries. 5.

Bishops.

Election of
Bishops.

If the Deane and Chapter of any Cathedrall Church where y^e see of any Archbishop or Bishop is, within any of the Queenes dominions, where the Queenes licence vnder the great seale is granted vnto them to proceede for the election of any Archbishop or Bishop of the see being voyde, with a letter missiue contayning the name of the person which they shall chuse, after such licence deliuered vnto them, proceede not to election within xii. daies, and signifie the same vnder their common

common seale vnto the D. her heires or successours within xx. dayes next after such licence shall come to their handes: or if any Archbishop or Bishop within any the Queenes dominions, after any such election, nomination, or presentation, shall be signified vnto them by the Queenes letters patents, shall refuse and do not confirme, invest, and consecrate with all due circumstance, every such person so elected, nominated or presented, and to them signified within xx. dayes next after the Queenes letters patents, or such signification, or presentation shall come to their handes, or els if any of them, or any other person, admit, maintaine, allowe, obey, doe, or execute any censures, excommunication, interdictions, inhibitions or any other proces or Act to the contrary or let thereof, then euery Deane and particular person of the Chapter and euery Archbishop and Bishop and other person so offending and doing contrary to any part hereof, their aydoys, counsellors, and abbettoys, shall runne in the daungers and penalties of the statute of Prouision and Premunire made. 25. Ed. 3. & 16. R. 2. 25. H. 8. 20. 1. El. 1.

Consecrating
of Bishops.

1 For a writ to the Bishop to certifie Bastardie. S. Bastardie. 3. A. bilitie. 2.

2 What assurances made by Bishops &c. of their landes shall be good and what not. S. Ecclesiast. 6.

3 That a Bishop may visite euery Hospitall within his Dioces. S. Hospitals. 1.

4 That Bishops may punish Priests, Clerkes &c. for incontinencie. S. Incontinencie.

Bookes.

If any person resiant or inhabitant within this Realme, shall buy to sell againe, any printed bookes, brought from any partes out of the Queenes obeyfance, readie bound in boordes, leather or parchment, he shall forfeite for euery booke bound out of the Queenes obeyfance, and brought into this Realme, & bought by any person within the same to sell againe, vi. s. viii. d. to the Queene & the partie that will seise or sue for the same, by A. J. &c. wherein no W. &c. E. or P. &c. 25. H. 8. 15.

Books brought
from beyond
sea bound.

2 **I**f any person inhabitant or resiant within this Realme, shall buy within this Realme of any stranger bozne out of the Queenes obeyfance (other then of Denizens) any printed bookes brought from any partes beyond the Sea, (except onely by engrosse) and not by retayle, he shall forfeite for euery booke so bought by retayle vi. s. viii. d. to the Queene and the partie that will seise or sue for y^e same by A. J. &c. wherein no W. &c. 25. H. 8. 15.

Books brought
from beyond
sea bought in
grosse.

3 **I**f

Boatemen, Watermen, Barges, Boates. &c.

**The price of
bookes en-
haunced.**

3 ¶ If any Printers or Sellers of printed bookes, inhabiting within this realme, do at any time in such wise enhaunce and encrease the prices of any such printed bookes in sale or binding at too high & unreasonable prices, in such wise as complaint be made thereof to the Queene or vnto the Lorde Chauncelour, Lord Treasorer, or any of the chiefe Iustices of the one Bench or of the other, then the same Lords &c. or two of any of them shall haue authoritie to enquire thereof, as well by the othes of xii. honest and discrete persons, as otherwise by due examinations by their discretions. And after the same enhauncing, and encreasing of the sayd prices of the said bookes and binding, shall be founde so by the sayd xii. men, or otherwise by examination of the sayd Lord Chauncelour, Lord Treasorer, and Iustices, or two of them, then the same Lordes &c. or two of them at the least, shall haue power to resourme and redresse such enhauncing of the prices of printed bookes from time to time by their discretions, and to limite prices aswell of the bookes, as for the binding of them, and ouer that the offendour or offendours thereof being conuicted by examination of the same Lords &c. or two of them, or otherwise, shall forsayte for euery booke by them solde, whereof the price shalbe enhaunced, for the booke or binding thereof, iii. s. iiii. d. to the Queene and partie grieved that will complaine vpon the same, in maner and fourme aforesayde.

25. H. 8. 15.

Boatemen, Watermen, Barges, Boates, &c.

**Viii. ouerseers
of watermen.**

The Maior and Court of Aldermen of the Citie of London, at their first Court of Aldermen, holden within the sayd Citie next after the first day of March, shal pecretly appoint and choose viii. persons, of the most wise, discret, and best sort of Watermen, being householders & occupying as Watermen vpon the Riuer of Thamise, betweene Grauesend & Windsor, and the same eight persons so elected shalbe called the ouerseers & rulers of all the Whirimen and Watermen, that after the said first day of March, shal vse or exercise any rowing vpon the sayd Riuer of Thamise, betweene Grauesend & Windsor, which sayd ouerseers shal keepe good order & obedience amongst the sayd Watermen, according to the true meaning of this Statute. And if any person elected to be an ouerseer, doe negligently exercise his rounth, or will obstinately refuse to take vpon him the same, then he shall forsaite to the Q. & A. v. li. to be recouered by A. J. &c. wherein no W. &c. C. P. A. &c. 2. & 3. H. 8. 16.

**Ouerseers neg-
lecting or refus-
ing their
rounth.**

**Ouerseers shal
order p water-
men, & register
their names.**

2 ¶ It is lawfull to the said viii. Rulers for the time being, and their successours from time to time, to call befoze them at some convenient place by them to be appoynted, all and euery such person

and

and persons which shall vse the sayde trade of rowing betwixt Grauesend and Windsor, and shall register the names of euery of them that shall be by them allowed or admitted for Watermen to rowe betwixt Grauesende and Windsor, in a Booke made for the same intent, and to take such further order therein with euery of the sayde parties, as it shall seeme meete by the discretion of the sayd ouerseers: And also the sayd ouerseers shall and may ouersee, viewe, and suruey at all times, all Boates and whiries that shall be made, before the same be launched out of the yard or ground, wherein they shalbe made, into the sayd Riuer of Thamise, to the intent that they and euery of them may be made and prepared in such maner and fourme, and according to the goodnes, proportion and quantitie in this Act limited. And the Maior and Aldermen of London, and the Iustices of peace within the Shires next adioyning to the Riuer of Thamise, euery of them within their seuerall iurisdiccions haue authoritie vpon complaint made to them or any of them, by the sayd ouerseers or two of them, or the master of any seruant, not only to examine, heare and determine all complaints & offences committed by any such person that shall offend contrary to the true meaning of this Act, & to set at large euery such person as shall be imprisoned by the sayd ouerseers according to this Act, if iust cause shall appeare vnto them so to doe: But also by their discretion to punish, correct, and reforme the sayd ouerseers and euery of them, that shall vniustly punish any person by colour of this act &c. 2. & 3. P. & M. 16. S. Iustices of peace. 105.

Ouerseers shall view the boates before they be launched forth

3 No persons where two watermen and not aboue two shall rowe together in one Boate, or whirie in any place betwixt Grauesend and Windsor, shall receyue any person into their Boate or whirie to the intent to cary him therein, vnlesse one of the same two watermen, haue bene for the most part exercised in rowing vpon the sayd riuer of Thamise by the space of two whole peeres before that time. And also that one of the same two watermen at the least be duely admitted and allowed by the same eyght ouerseers, or the most part of them by writing vnder their knowne seale, to be a sufficient and able waterman, vpon payne that euery person presuming or offending contrary to the true meaning of this act, shall by the sayd eight ouerseers be committed to prison in one of the Counters of the Citie of London, there to remaine one moneth or lesse as the offence shall require. 2. & 3. P. & M. 16.

2 Watermen shall not rowe but where one of them is allowed by the ouerseers.

4 No person being a single man, not keeping household, and not retained, shall vse to rowe betwixt Grauesend and Windsor, vnlesse he be apprentice, or in seruice retained with a master by the whole peere at

No single man shall be a waterman.

the

Boatemen, Watermen, Barges, Boates. &c.

the least, vpon paine of like imprisonment. 2. & 3. P. & M. 16.

The length,
breadth and
goodnes of
boates.

5 ¶ If any person shall make any whirle, or Boate, to the intent commonly to vse rowing and carrying people vpon the sayd riuer of Thamise, which shall not be xxi. foote and a halfe in length, and foure foote and a halfe broade in the midshippe, or which shall not be substantially and well able and sufficient to cary two persons on one side tight according to the olde quantitie, scantling, thickeesse of boord, goodnesse and good proportion heretofore had and vled: Then the same boate being made contrary to the proportion and sort before expressed, shalbe taken as forsaite, and shalbe forsaite to the Queene and I. to be recouered by A. I. &c. wherein no wager &c. P. or I. &c. 2 and 3. P. & M. 16.

Watermen
which hide
themselves in
the time of
presting.

6 ¶ If any person which shall vse the occupation of rowing betwixt Grauesende and Windsor, which in the time of the execution of any Commission of presting, that shall be had for the seruice of the Queene, her heires and successours, in their affaires, shall willingly and obstinately hyde, or conuey himselfe in the same tyme of presting, into secrete places, and out corners, and after when such time of presting is ouerpasted, shall retorne againe to the sayd riuer of Thamise, to rowe betweene Grauesende and Windsor, and that duely proued by two indifferent witnesses before the Maior of London and Court of Aldermen, or Iustices of the peace, and two of the sayde Rulers, then hee so offending shall suffer imprisonment by the space of two weekes, and be banished any more to rowe from thenceforth vpon the sayd riuer of Thamise by the space of one whole yere and a day then next folowing. 2. & 3. P. & M. 16.

What fare
watermen
may take.

7 ¶ Every person authorized to rowe betweene Grauesende and Windsor, that shall take for his fare or labour aboue the prizes assessed by the Maior and Court of Aldermen of London, and viewed, signed, and subscribed with two at the least of the Queenes priue Counsels handes, and written and set vp in tables in the Guild Hall, Westminster Hall &c. shall suffer imprisonment one halfe yere, and also shal forsaite for every such offence to p. D. & I. &c. xl. s. to be recouered by A. I. &c. wherein no W. &c. P. or I. &c. for the Maior and Court of Aldermen of London, shall from time to time asseste the summes of money that every person authorized to rowe betweene Grauesend and Windsor shall take for his labour or fare from place to place particularly betwixt Grauesend and Windsor. 2. & 3. P. & M. 16. By the Statute made 6. H. 8. 7. there was established a certaine rate and wages that watermen should take for their fare betwixt one place and another in and neere vnto the Citie of London, but it

seemeth

seemeth that the force of that statute is taken away by the foresayde
 branch. Sed Quare.

8 ¶ No person occupping any Westerne Barge, shall retayne,
 take or receiue into his seruice, any single person not keeping house
 or houtholde, but onely such as shalbe retained with him by the whole
 pere, and no houtholder, but onely such as he will, or shall answere for
 his good behauour, vpon payne and forf. to the D. & J. xl. s. to be reco-
 uered by A. J. &c. wherein no W. &c. E. P. J. &c. 2. & 3. P. & D. 16.
 It seemeth that this branch is repealed by the generall wordes of the
 statute of 5. Eliz. 4. which repealeth all statutes and euery branch of
 them which touch or concerne the hiring, keeping, departing, wor-
 king, wages or order of seruants, workemen, artificers, p[re]ntices, and
 labourers &c. Sed Quare.

Quare.
 The seruants
 of Westerne
 Barmen.

9 ¶ No person shal interrupt by any obstacle, let or otherwise, any
 person or persons passing or repassing, on and vpon any of the pathes
 being of a foote and a halfe broad, lying on euery side of the Riuer of
 Seuerne, and time out of minde accustomed, nor shall aske, take, or
 demaund any tolle called a draught, or bottell of wine, or any other
 taxe or imposition of any of the Queenes subiects there going in the
 said pathes accustomed, there haling or drawing their boates, troughs,
 or vessels vpon payne to forsaite for euery time that he shall interrupt
 any of the Queenes subiects, or aske or take any such imposition, by
 what name soeuer it be called, xl. s. to the Queene and partie griued,
 to be recouered by A. J. &c. wherein no W. &c. E. P. &c. 9. P. 6. 5. 23.
 P. 8. 12.

Quare.
 Passengers
 vpon the banks
 of Seuerne.

10 ¶ Whosoever doth take any imposition of any of the Queenes
 liege people, for any Trowe, Boate, or other vessel for any goods or
 marchandizes carped in and vpon the riuer of Seuerne, or doeth bere
 or interrupt any Boates, Trowes or vessels so passing by the said Ri-
 uer, for any such imposition, or otherwise against the Queenes lawes,
 (Except such which by decree made betwixt xx. Januarii. An. Dom.
 1503. and the Assention day, Anno Domini 1505. by the Kings
 Councell in the Starre Chamber obtained the same) shall forfait for
 euery such offence xx. li. whereof the Ducene shall haue two partes,
 & the partie that will sue by popular A. of debt, the third part, where-
 in no W. &c. E. P. &c. 19. P. 7. 18.

Imposition of
 Boates vpon
 Seuerne.

11 ¶ But any person hauing landes or medowes adioyning to
 the sayd water of Seuerne, may take of euery person going vpon his
 landes and medowes, and drawing any Boate, Trowe or vessel, rea-
 sonable recompence for such hurt as he shall sustaine by reason of a
 ny such going, or drawing, 19. P. 7. 18, except of such as shall passe or
 repasse

Recompence
 for hurts done
 by bargemen

Bowes, Bowstaues.

repasse vpon any of the paths of euery side of the sayd riuer being of a foote and a halfe broad or thereabouts, and time out of minde accustomed as is aforesayd. 23. H. 8. 12.

Transporting
offenders into
or forth of
Wales at un-
lawfull times.

12 **I**f any person taking vpon him to haue & keepe any passage vpon the riuer of Seuerne, to carry with any barge, boate, or other vessel, any person or persons with horses, mares, kyne, oxen, or other cattell, or any other person before the Sunne rising in the morning, or after the Sunne being set at the night, ouer any of y^e sayd passages out of England into Wales, or the forest of Deane, or out of Wales, or the forest of Deane into England, vnlesse the sayde passenger hath good knowledge of such person and persons and euery of their dwelling places, and vpon request to him made by any person or persons, do disclose the name and dwelling place of euery such person & persons, so by him conueied ouer the said water to any such person or persons so requiring the same, if suite be made for and after them vpon any outcry, buy, or fresh suite of, or for any fellonie, robberie, murther, and manslaughter committed, he shall be imprisoned and also pay a fine. 26. H. 8. 5. See Iustices of peace. 81.

1 The forsaite of Boatemen for carying any Corne &c. to a Ship to be transported. S. Corne. 2.

Bowes, Bowstaues.

4 Bowstaues
brought in for
euery Tunne
of marchandize.

If any marchant stranger, or any seruant, atturney or factour of any of them, which will bring, sende, or conuey into this Realme any marchandize in Caracke, Galley or Shippe, from the Citie or countrey of Venice, or any countrey from the East partes, from the lxxii. haunce to wnes, or from whence any Bow staues haue bene heretofore brought, doe not bring in the same ship wherein the marchandises be, for euery tunne weight of marchandize iiii. Bowstaues, hee shall forsaite to the Queene & Informer vi. s. viii. d. for euery default of bringing euery Bowstafte, to be recovered by A. J. & c. wherein no W. & c. E. P. & c. 12. Ed. 4. 2. 13. El. 14.

10 Bow-
staues
brought in for
a But of Wal-
meley or Tyre.

2 **I**f any marchant of Venice, or other, shall bring or conuey into this realme any Halmis or Tyre, & do not bring with euery But of eyther of them x. Bowstaues good and able stuffe, he shall forsaite xiii. s. iiii. d. to the Q. & J. & c. for euery But so brought, and not of the sayd number of Bowstaues with the said But. And the said Bowstaues shall not be solde vngarbled but to such persons as be bozne vnder the Queenes obeysance. 1. R. 3. 11.

Bowstaues
garbled.

Who may
shoote in
Bowes of
Ewe.

3 **I**f any person vnder the age of xviij. yeeres, doe shoote in any bow of Ewe bought for him, he shall forf. vi. s. viii. d. (except his father

or

or mother haue landes or tenements to the peerely value of x.li. or be worth in moueables the summe of xl. markes.) 33. H. 8. 9.

4 ¶ If any Bowier dwelling within the cite or suburbes of London or Westminster, or the Borough of Southwarke, wanteth by the space of twentie dayes, fiftie good and able Bowes of Elme, Witthhassel, or Ashe ready made, and meete to be sold and vsed, he shal for euery Bowe so wanting of the foresaid number forsaite x.s. to the Queene & Informer &c. being an Armozer, Fletcher, or Bowstring-maker, to be recouered by A. J. &c. wherein no P. W. &c. 8. El. 10. And euery Bowper dwelling else where, which doeth not for euery Bowe which hee maketh of Ewe, make foure other Bowes of some other wood apt for shooting, shall forsaite for euery Bow so wanting to the Queene and Informer &c. iii. s. iiii. d. 33. H. 8. 9. 8. El. 10.

Bowes of Elme, Ashe, Witthhassel

5 ¶ If any Bowier doe sell any Bowe meete for mens shooting being of outlandish Ewe, and of the best sort, aboue the price of vi. s. viii. d. of the second sort aboue iii. s. iiii. d. of the course sort called liuerie Bowes aboue ii. s. of English Ewe aboue ii. s. a piece, he shall forsaite for euery bowe so sold aboue the price aforesaid xl. s. to the Queene and Informer &c. being an Armozer, Fletcher, or Bowstringmaker, to be recouered by A. J. &c. wherein no W. P. &c. 8. El. 10. 27. El. 11. to continue in force until y^e end of the next Parliament. S. Archerie.

The prices of Bowes.

1 That Bowstaues brought into this Realme, shall be searched & marked. S. Corporations, 27.

Brasse, Latten, Copper, and Bell mettall.

Nor persons shall carry or conuey, or shippe to the intent to carry or conuey any Brasse, Copper, Latten, Bel mettall, Panne mettall, Gunne mettall, or Shroffe mettall whether it bee cleare or mixed (Tinne and Lead onely excepted) into any part beyond the sea, or into any outward dominion, vpon paine to forsaite the double value thereof, and x. li. for euery thousand weight of the same mettall so caried, or shipped to the intent to be caried, to the Q. & J. to be recouered by A. B. P. J. &c. wherein no W. P. &c. 33. H. 8. 7. 2. Ed. 6. 37.

No brasse, latten &c. shalbe transported.

2 ¶ The arrittall, discharge and deliuerie of the sayde mettalls in any foraine dominion shall be tryed, and determined within this Realme in such Countie or place, where the said mettalles were shipped or first caried, with like proces, and determination, as all other informations or accions be tryed and adiudged within this Realme, or as the same fact had bene done within this Realme. 33. Hen. 8. 7. 2. Ed. 6. 37.

Trial of a foraine act within this realme.

Brasse, Latten, Copper, and Bell mettall.

He shall bee
bound which
carieth met-
talles to dis-
charge & same
within this
Realme.

Customer of
the port.

Master of the
ship which ca-
rieth the brasse

If the mettall
be drowned or
robbed by py-
rates.

3 **C** No person shall ship, or carie any of the sayde mettalles pro-
hibited by this statute, to cary or discharge the same in any part of
this Realme, vntlesse before the shipping thereof he doe declare to the
Customer of such port or creeke, where the same mettall shalbe ship-
ped, the true weyght of all such mettall as shall be shipped, and shall
also before the shipping thereof, make a sufficient obligation in the
lawe, in which he shalbe bound to the sayd Customer to the Queenes
vse, in such summe as shall amount to the double value, & x.li. for eue-
ry thousande weight so declared, with condition that the same met-
talles shall be discharged at some port or creeke within this Realme,
and in no other place vpon paine to forfeite the same. And euery such
person that shall shippe such mettalles, and shall be bound as is afore-
sayde, shall within eyght moneths next after the shipping thereof,
bring a true certificat from the Customer of the port, creeke or place,
where he shal discharge the same, testifying that the same mettall
so shipped and the true weight thereof is there discharged, which cer-
tifikat the Customer of such place where the sayd mettall shall be dis-
charged, shall vpon discharge thereof make and deliuer to the partie
so discharging, or to his factor without any delay. And if the Custo-
mer or his deputie doe make a false certificat concerning the dischar-
ging of such mettall, then he shall lose his office, and the value of the
goods concealed out of the sayd certificat. And if any Customer,
Comptroller, or his deputie by any vndue meane will suffer any per-
son, after the mettall is shipped or caried contrary to the meaning of
this Act, to make an obligation without date for the discharge and
certifikat of his mettall, then such Customer so suffering or receyuing
such obligation, shal lose his office, & the value of the mettall so shipped
or caried. And if any Master, Owner, Purser, or Botelwaine of any
ship do willingly permit any of the mettals abouesayde to be shipped
contrary to the tenor of this act, or else perceiuing any such mettall to
be shipped, doe not disclose the same within iii. dayes after knowledge
had to the Customer or Comptroller of the same port, or his deputie
where the same is shipped, then he shall forfeit the double value of the
same mettall, to the Q. and I. to be recovered by A. B. P. J. &c. wher-
in no W. C. P. &c. 33. W. 8. 7. 2. Ed. 6. 37. S. Custome &c. 19.

4 **C** If the sayd metall by tempest of weather be drowned, or by
enemies or Pirates robbed and spoyled, and that sufficiently proued
without fraude before the Customer & Comptroller or their sufficient
deputies in the port where the party so shipped the mettals aforesayd
or any of them, by the sayd partie or his executors, then he bringing
such sufficient prooffe, shall haue his obligation to him deliuered, or
els

els he and his executoꝝ there of shall be clerely discharged. 33. H. 8.
7. 2. Ed. 6. 37.

5 No person shall lade, shippe, or cary into any part beyond the Sea, any of the metals aforesayd, but only out of such port or Creeke where the Customier or his deputie is resident and dwelling, vpon payne of forfaiture the said metall, & x. li. for euery thousand weight so shipped or caried to the N. and I. to be recouered by A. B. P. J. &c. wherein no W. C. P. &c. 33. H. 8. 7. 2. Ed. 6. 37.

No metall shal
be laden but
where there is
a Customier.

1 Where vessell of brasse shalbe sold, of what goodnes it shalbe, and what waight shalbe thereof vsed, S. Pewter. 1. 2. 4.

Bridges.

Where it can not be knowen and prooued what Hundred, Riding,wapentake, Citie, Borough, Towne or Parish, nor what person certaine, or body politique, ought of right to make Bridges decayed, in euery such case the sayd Bridges (if they be without citie or towne corporate) shalbe made by the inhabitants of the Shire or Riding within the which the said Bridge decayed shall be, and if it be within any Citie or Towne corporate, then by the inhabitants of euery such Citie or Towne corporat. And if part of any such Bridges bee in one Shire, Riding, Citie, or Towne Corporate, and the other part thereof in another Shire, Riding, Citie, or Towne corporate, or if part be within y^e limits of any Citie or Towne Corporate, & part without, or part within one Riding, & part within another, the inhabitants of the Shires, Ridings, Cities, or townes corporate shalbe charged to make and repaire such part of such Bridges so decayed, as shall lie & be within y^e limits of y^e shire, Riding, Citie, or towne corporat, wherein they be inhabited at y^e time of y^e same decaies. 22. H. 8. 5.

A remedie
where it is not
known who
ought to re-
paire Bridges
decayed.

2 In euery such case where it can not be knowen and prooued what persons lands, tenements, and bodie politique, ought to make and repaire such Bridges, the Iustices of peace within the Shires or Ridings wherein such decayed Bridges be, out of Cities & Townes corporat, and if it be within Cities or Townes corporate, then the Iustices of peace within euery such Citie or Towne corporate, or iiii. of the sayd Iustices at the least, whereof one to be of the Quorum, haue power within the limits of their seuerall commissions, to call before them the Constables of euery Towne and Parish within the Shire, Riding, City, or Towne corporat, aswel within liberties as without, wherein such Bridges or any parcell thereof shall happen to be, or else two of the most honest inhabitants within euery such Towne or Parish &c. by the discretion of the sayd Iustices &c. and vpon the

The inhabi-
tants of the
shire taxed for
y^e amendment
of decayed
Bridges.

apparance of such Constables or inhabitants, the sayd Iustices, or foure of them, whereof one to be of the Quorum, with the assent of the said Constables or inhabitants, haue power to take, and set euery inhabitant in euery such Citie, Towne, or Parish within the limittes of their Commissions, to such reasonable aide and summe of money as they shall thinke sufficient for the reedifying & amending of such Bridges, and after such taxation made, the said Iustices shall cause the names and summes of euery particular person so by them taxed, to be written in a roule indented. 22. H. 8. 5.

Collectors of
euery hundred

3 ¶ And the Iustices of peace haue power to make two Collectors of euery Hundred, for collection of all such summes of money by them taxed, which Collectours receiuing the one parte of the said roule Indented vnder the seales of the said Iustices, shall haue power to collect all the particular summes of money therein contained, and to distraine euery such inhabitant, (as shall be taxed and refuse payment thereof) in his landes, goods and cattels, and to sell such distresse, and of the sale thereof retaine, and receiue all the money taxed, and the residue (if the distresse be better) to deliuer to the owner thereof. 22. H. 8. 5.

Surueiours
which shall see
the Bridge re-
paired.

Collectors &
surueiours ac-
compt.

4 ¶ And the same Iustices or foure of them, within the limits of their commissions, haue power to appoint two surueiours, which shall see euery such decayed Bridge repaired from time to time as often as neede shall require, to whose hands the sayd Collectors shall pay the sayd summes of money taxed & by them receiued, and euery of the collectors & surueiours, their executors and administrators, &c. from time to time shall make a true declaration & accompt to y^e Iustices of peace of the Shire, Riding, Citie, or Towne corporate, wherein &c. or to foure of the same Iustices, whereof one to be of the Quorum, of the receipts, paymēts & expences of y^e said summes of money. And if they or any of them refuse that to do, then y^e same Iustices of peace or foure of them, haue power to make proces against y^e said Collectors, Surueiours &c. and euery of them, by attachements vnder their seales, returnable at the generall sessions of the peace: & if they appeare, then to compell them to accompt as is aforesayd, or else if any of them refuse that to do, then to commit him to ward, there to remaine without baile or mainprise, till the said declaration & accompt be truely made. And the Iustices of peace, or foure of them, haue power to allowe such reasonable costes and charges to the said Surueiours, and Collectors, as by their discretion shall be thought conuenient. 22. H. 8. 5.

Proces as
gainst the par-
ties in another
shire which
should repaire
the Bridges.

5 ¶ And where any Bridge or Bridges lye in one Shire or Riding, and such persons inhabitants, bodie politique, landes or tenements

ments which ought to be charged to the making and amending thereof, lie and abide in any other Shire or Riding, or where such Bridges bene within any Citie or Towne corporate, and the persons inhabitants, bodie politique, landes or tenements that owen to make or repayre any such Bridges, lye and bee out of the sayd Cities or Townes corporate: In euery such case the Iustices of peace of the Shire, Citie, or Towne corporate, within the which such decayed Bridges or any part thereof shall be, haue power to enquire, heare, and determine all such anoyances being within the limits of their commissions. And if the anoyance bee presented, then to make proces into euery Shire within this Realme, against such as owen to make, or amend any such Bridges, so presented befoze them to be decayed to the anoyance and let of the passage of the Queenes subiects: And to doe further in euery behalfe in euery such case as they might doe by authoritie of this act, in case that the persons lands &c. which owen to be charged to the amending or making of such Bridges, or any part thereof were in the same Shire, Riding, Citie, or Towne corporate, where such anoyance shall happen to be. 22. H. 8. 5.

6 ¶ This acte shall not be preiudiciall to the libertie of the five *Five Portes.* portes, or members of the same, for reformation of anoyances of Bridges within the said portes and members, but the Warden, Maiors, and Bailifes elected, and Jurates of the same portes, and euery of them haue power to enquire, heare, and determine all maner of common anoyances of Bridges within the same portes and members, and to make such proces, paines, taxations, and al other things within the same portes and members, as the Iustices of peace may doe in other Shires or places out of the same Portes, by vertue of this act, in euery behalfe. 22. H. 8. 5.

7 ¶ Iustices of peace, or foure of them at the least, whereof one to be of the Quorum, haue power to enquire, heare & determine in their generall Sessions, of all anoyances of Bridges broken in the high wayes, and of all anoyances of high wayes which lie next adioyning to the endes of Bridges, and CCC. foote from the same distant, and to make proces and paines against such as ought to bee charged &c. And to doe in euery thing, concerning the making, repairing, and amending of euery such high way, in as large maner as they may doe, for the making, repairing, and amending of Bridges by this acte. 22. H. 8. 5. S. Iustices of peace. 70.

1 That Sherifes and Bailifes of liberties shall execute proces directed to them from the Iustices touching anoyance of Bridges. S. Sheriffes, 31.

Bruer. Burning. Butcher.

Bruer.

No buyer shall
be a Cowper.

If any Bruer, which buyeth Beere or Ale to sell, shall by himselfe, or
lother to his vse, occupie the mysterie of Cowpers, or make Barrels,
Kilderkins, Firkins, or other vessels of wood, by him selfe, or any of
his own seruants, wherein to put his Beere or Ale to sale, he shall forf.
for euery vessel made contrary to the tenor of this act, iii. s. iiii. d. to the
D. & J. to be recouered by A. J. &c. wherein no W. C. P. &c. But
a Beere buyer or an Ale buyer may keepe in his seruice a Cowper, to
binde, hoope, pinne, and amend his vessels. 23. H. 8. 4.

The prices of
Ale and Beere

2 **I**f an Ale or Beere buyer doe sell or take for any barrell, kil-
derkin, or firkin of Ale or Beere aboue such prices and rates as shalbe
assessed by the Iustices of peace in the Shire, or by the Maior, Shi-
rife, or head officer of the Citie, Borough or Towne corporate, where
the sayd Ale or Beere buyer doeth dwell, hee shall forsaite for euery
barrel so sold vi. s. for euery kilderkin iii. s. iiii. d. for euery firkin ii. s.
for euery lesse vessel xii. d. and for a greater then a barrel x. s. to the D.
and J. to bee recouered by A. J. &c. wherein no W. C. P. &c. 23. H.
8. 4. S. Iustice of peace, 78. Corporations 12.

Burning.

Burning of
an other
mans goods
or woods.

Whosoeuer doeth maliciously, willingly, & vnlawfully burne,
or cause to be burned, any waine, or Cart laden with another
mans goods, or any heape of wood of any other persons prepared and
felled for making of Coales, Billets, or Tall wood, shall forsaite to
the partie griued, treble dammages, to be recouered by action of tres-
passe, and to the D. x. li. for a fine. 37. H. 8. 6.

Butcher.

A butcher
shall not buy
cattell and sell
them againe.

If any person being a Butcher, & vsing the mysterie of Butcherie,
shall buy any fatte Oxen, Steeres, Ronts, Kine, Heifors, Calues,
or Sheepe, and sell, or cause to be solde the same againe on liue, hee
shall forsaite to the D. and J. the same Oxen, Steeres, &c. bargained
or solde to bee recouered by A. J. &c. wherein no W. C. P. &c.
But euery person being a Butcher, and vsing the mysterie of But-
chery, shall and may at his pleasure buy any fatte Oxen, Steeres,
Rontes, Kine, Heifors, Calues, and sheepe, or any of them out of any
open faire or market, so that he sell not nor cause the same to be solde
againe on liue. 3. Ed. 6. 19. 27. El. 11. to continue to the ende of the
next Parliament now next ensuing.

Calues calued
betweene the
first day of
Iannuarie and
May.

2 **N**o person or persons being butchers or other inhabiting
within this Realme, Wales, or the Marches of the same, shall kill or
cause to be killed, any maner yong suckling calfe or calues to be solde

or put to sale to any person or persons, whole or by retails, which calfe or calves to be killed shall happen to fall or to be calued betwene the first day of Januarie and the first day of May, upon paine of forfeiture of vi. s. viii. d. for euery calfe calued or fallen betwene the said dayes, and killed and put to sale contrary to this Act, to be forfeited and payed by euery such Butcher or other person, which shall kill or cause to be killed and put to sale any such calfe so calued &c. to the Q. and J. to bee recovered by B. A. J. in any of the Queenes Courtes wherein no W. E. P. &c. Provided alwayes that euery Lorde Marcher shall haue the forfeitures, profittes and advantages, onely of such offender against this Act within their Prouinces, within their Seignories, liberties & franchises royall. 24. H. 8. 7. 14. El. 11. to continue vntill the ende of the next Parliament.

3 ¶ If any Butcher or other person inhabiting within this Realme, Wales, or the Marches of the same, do kill, or cause to be killed any weanling Bullocke, Steere, or Heifer, being vnder the age of two yeeres, to the intent to sell the same whole or by retails, he shall forfeit to the Q. and J. for euery such weanling killed, and put to sale vi. s. viii. d. to bee recovered by A. J. &c. wherein no W. E. P. &c. 24. H. 8. 9. 27. El. 11. to endure to the ende of the next Parliament now next ensuing.

Butchers shall kill no weanlings.

4 ¶ If any Butcher or other person shall kill any Calfe to sell, being vnder v. weekes olde, hee shall forfeite for euery Calfe so killed, vi. s. viii. d. 5. El. 8.

Butchers shall kill no calves vnder five weekes olde.

5 ¶ If any person occupying the craft of a Butcher, doe vse by himselfe or any other, the occupation of a Tanner, he shall forfeite for euery day that he shall vse the feate of a Tanner, vi. s. viii. d. 5. El. 8.

No Butcher shall be a Tanner.

6 ¶ No Butcher or his seruant shall kill any beast within the scalding house in London, or within the wall of London, upon paine to forfeite for euery Ox xii. d. and for euery Cow & other beast viii. d. to the Q. and him that will sue by A. of debt, where no E. P. &c. And this Act extendeth and shall be obserued in euery Citie, Borough, and Towne walled within England, and in the Towne of Cambridge, (the Townes of Berwicke and Carlile excepted) 4. H. 7. 3.

Butchers shall not kill cattell within any walled towne.

7 ¶ A Butcher that selleth swines flesh milled, or flesh dead of the morien, (after he shall be conuicted thereof) for the first time he shall be grievously amerced, the second time he shall be iudged to the Pillory, the third time he shall be imprisoned & make fine, and the fourth time he shall forswear the towne. And in this maner shall it be done of al that offend in like case, as of Cookes that seeth flesh or fish any wayes that is not holsonie for mens body, or after that they haue kept it so long,

No Butcher shall not sell milled or morie flesh.

Cookes.

that

Butler of the Queene. Butter & Cheefe.

that it loseth the naturall holsonnes, then seeth it againe and sell it.

51. H. 3. 51. E. 1.

- 1 That Butchers shall not gash any hides. S. Leather. 1.
- 2 That Butchers shall not conspire to sell their victuals at certaine prices. S. Artificers 1.

Butler of the Queene.

The Queenes
Butler shall
take no more
wines the shall
be appointed.

The Steward of the Queenes house and Treasorer of the War-
drop shal send to all the Portes of England where Wines be to
be taken to the Queenes vse, the certaine number which y^e Butler shal
take in euery part, so that nothing be taken ouer that number: And the
Maio^r & bailifes of the said Portes shal certifie the said Steward and
Treasorer, of the number of all the Tunnes so taken by the Butler or
his Lieutenant vnder the seale of the said Maio^r and Bailifes, by In-
dentures made betweene them and the takers of the said wines. And
in case that it be found that the Butler or his Lieutenant take more or
take reward of any, or delay any by colour of his office as by arrest, he
shall make gree to the partie of double, and shalbe put out of his office,
and shalbe imprisoned and punished at the Queenes pleasure, and the
Queene shal appoint her Iustices whom it shall please her to inquire
of these matters. And the Butler shal answere aswell for his deputies
as for himselfe where they be not sufficient. 25. Ed. 3. 21.

2 **T**he Queenes Butler nor none of his Lieutenants shall
buy, imbrace, or take, by colour of their office, nor in other maner to
their proper vse nor of others, more Wines for the Queenes house
and expenses then they haue in commandement, vpon payne of im-
prisonment of their bodies, and to be punished at the Queenes plea-
sure. And asmuch as they shall take by force of the sayd warrant, shall
be taken within x. dayes, and that being done, the Marchants of the
said Wines may, & it shalbe lawful for them, of the residue of the sayd
Wines to make their profit, notwithstanding any arrest made vpon
such Wines by the Butler or any of his Lieutenants aforesayd.
43. Ed. 3. 3.

1 That the Lieutenant of the Queenes Butler shall make no de-
puties. S. Customers 23.

Butter and Cheefe.

Butter and
Cheefe bought
to be sold as
gaine.

If any person doe buy to sell againe, any Butter or Cheefe, vnlesse
hee sell the same againe in open shoppe, faire, or market, and not in
grosse, but by retaile, (that is to say, a waye of Cheefe, or a barrell of
Butter or lesse quantitie, and not aboue, sold at one time) or except he
be

Butter and Cheese. Buttes. Cables, Halsers, Ropes. 46

he an Inholder, or vitailer, which uttereth the same Butter or Cheese by retails in his house, he shall forfeite to the Queene and Informer double the value of the Butter and Cheese so sold, to be recovered &c. wherein no *W. E. P. &c.* 3. & 4. *Ed.* 6. 21. 27. *Eliz.* 11. to endure to the end of the next parliament now next ensuing.

1 That no Butter or Cheese shalbe transported to any forraine region without the Queenes licence. *S. Corne.* 1.

2 For the weight of a wey of Cheese. *S. Weightes.* 6.

Buttes.

The inhabitants in every Citie, towne and place, are compellable to make and continue Buttes, vpon paine to forfeit for every iii. moneths so lacking, *xx. s.* And the said inhabitants shall exercise themselves with long Bowes in shooting at the same, and else where, on holy dayes and other times conuenient. 33. *H.* 8. 9.

Cables, Halsers, Ropes.

No person or persons dwelling or inhabiting within the distance of v. miles from the towne or borough of Burport in the countie of Dorset, shall sell or cause to be sold out of the market holden and to be holden within the same towne and borough of Burport, to any person or persons, any Hempe which shall happen to growe within the sayd v. miles in distance from the sayde towne or borough, vpon paine of forfeiture of the sayde Hempe so sold or to be sold in any place or places within the distance of the sayd v. miles out of the sayd towne, borough or market, contrary to the forme & effect of this statute. The one halfe of which forfeiture shalbe to the Queene, the other to the *J.* to be recovered by accion of debt *B.* or *J.* wherein no *W. E. P. &c.* 21. *H.* 8. 12. 27. *El.* 11.

Hempe growing within v. miles of Burport shalbe sold there.

2 **N**o person or persons other then such which shall dwell and be inhabitants within the said towne of Burport, shal make out of the said towne any Cables, Halsers, Ropes, Traces, Walters, or any other tacle, made of Hempe in any other place or places within the said distance of v. miles from the sayd towne, vpon paine of forfeiture of the same Cables, Halsers &c. made and to be made contrary to the forme and effect of this statute to the *Q. & J.* to be recovered by *A. B. J.* wherein no *W. E. P. &c.* Provided that every person dwelling within y^e said distance may make Cables, Halsers, Ropes, Traces, Walters and other Tacle for their owne vse and occupation, but in no wise against this act. 21. *H.* 8. 12. 27. *El.* 11.

Cables and Tacle of Hempe shalbe made in Burport.

Provided alwayes that twenty pound weight shalbe accounted to the stone 21. *H.* 8. 12. 27. *El.* 11. to continue to the ende of the next Parliament now next ensuing.

Twenty poundes of Hempe a stone

Captaines, Souldiours, Musters.

Souldior making away his horse or harness.

If any souldior seruing the Q. in her warres, in any her dominions or on the sea, beyond the sea, or in Scotland, doe sell, giue away, or wilfully purloine, or other wise exchange, alter, or put away any Horse, Gelding or Mare, or any harness wherewith he shalbe set forth, then he (vpon due proofoe, or testimonie to be taken before y^e Lieutenant, his Admiral, y^e Queenes Deputie, vice Admiral, Warden or Captaine, & in their absence before any of their deputies) shalbe imprisoned by the same Lieutenant, or any other before named, there to remaine without baile or mainprise, vntill he hath satisfied to the owner of y^e Horse, Gelding, Mare or harness, so by him sold, purloyned, exchanged &c. (And also the said sale made by such souldior to any person knowing him to be a souldier, shall bee void against him that set forth the sayde horse, harness, and weapon. 4. & 5. P. & M. 2.) And if such souldier so offending, fortune to escape from the Lieutenant, and other the foresayde persons, without the punishment and restitution aforesaid, then the same souldier vpon complaint made by the partie grieved, or his executors, or administrators, vpon due proofoe thereof to be made, to any Justice or Justices of peace in the parties where such souldier shall be found, shall be by such Justice &c. committed to ward, there to remaine without baile or mainprise, vntil he hath satisfied y^e partie grieved, his executors or administrators, of, or for such horses, geldings, mares & harness so by him wilfully lost, exchanged &c. 2. Ed. 6. 2. S. Justice of peace, 84.

If the horse or armour be lost in service or appointed to another.

2 ¶ But if the sayde souldier bring any sufficient warrant or testimonie before the said Justice, from the said Lieutenant or any of the persons aboue named, in writing vnder the seale of any of them, testifying that the same horse or harness were lost in the Queenes seruice, against the wil of y^e sayd souldier, or that y^e same horse or harness were taken by the same Lieutenant, or any of y^e others before named from the same souldier for any reasonable respect, and appointed to some other to serue in the place of the said souldier, then euery such souldier not bringing to the owner the sayd horse and harness, shalbe discharged thereof against the sayd owner: And then euery such souldier, to whom y^e sayd horse or harness shalbe appointed as is aforesaid, (not bringing home to y^e owner y^e said horse, & harness after he shalbe discharged) shall suffer like paine as is aforesayd. 2. Ed. 6. 2.

He to whom the horse or armour is assigned, shall satisfy y^e owner.

A souldier or gunner departing from his captaine without licence.

3 ¶ If any souldier, man of armes, or archer which hath taken parcell of his wages of his Captaine, hath mustered, and is entred of record the Queenes Souldier, (or any mariner or gunner taking prest or wages, to serue the Queene, her heires, or successours on the sea. 5. El. 5. 27. El. 11.) doeth not passe the sea, or goe with his Cap-
taine

tainie (except notozious sicknesse, or impediment by Gods visitation doth stay him, which he shall immediatly certifie to his Captaine, and repay his money) or else being in the enemies countrey in garison, or else where in the Queenes seruice where he is appointed to serue, doth depart without licence of the Queenes Lieutenant, deputie, high Admirall, vice admirall, warden, Captaine, or in their absence of their deputies, then he shalbe taken, iudged and executed as a Felon. 18. H. 6. 19. 2. E. 6. 2. 4. & 5. H. 8. & 9. 3.

4 ¶ If any Captaine appointed to haue the order of any number of Souldiers, vnder any other higher officer, do for any cause licence any souldier in his retinue, to depart from the fielde, or fortreffe where they shalbe appoynted to serue without the speciall assent and licence in wryting of the Lieutenant, Deputie, high Admirall, vice Admirall, Warden, Captaine, or in their absence of their deputies, he shall forfeite to the Queene for euery such Souldier so licenced to depart xx. li. to be leuyed of his goods and cattels, and if any Captaine doe giue to any of his Souldiers, appointed to serue vnder him, in any towne or fortreffe kept with garison of souldier, any licence or pasporte to depart from his seruice, but onely the Lieutenant or others before named, the captaine and souldier so offending, shall be imprisoned at the discretion of the said Lieutenant or others &c. 2. E. 6. 2.

A captaine licensing a souldier to depart.

5 ¶ If any commissioner or captaine to whome the Queene shall direct her commandement by commission, or letters, for the leuying or setting forth of any men to serue in her warres, shall for any reward or lucre discharge any person by him appointed to serue the Queene as Captaine, souldier, or pioner of his seruice so appointed, and doe assigne any other person in his stead, for any lucre or gaine, then he so offending shall forfeite to the Q. for euery such default, of euery man so discharged xx. li. to be leuyed of his goods and cattels. 2. E. 6. 2.

A Captaine doth discharge one appointed to serue in the Queenes warres.

6 ¶ If any Lieutenant, deputie, Admirall, warden, Captaine, &c. hauing the order of any number of souldiers seruing vpon the sea, or land, doe demaund, receiue or take of the Queene or any of her treasurers, any wages for any more souldiers, then serued in such maner & forme, as the wages was payed for, or for any more dayes then such Souldiers serued, and doe not note the day of euery souldiers entry into wages; and day of his death and departure, and deliuer the same to such Treasurers as shall pay the said wages euery moneth in wryting, so as the trueth of the number of the souldiers may appeare to the Queenes Treasorer, and master of the Musters, for y^e time being: Then euery such Lieutenant, Deputie, Admirall &c. so offending, shall forfeit to the Queene for euery such default, v. li. & be imprisoned by the

A captaine demanding more wages then there is cause.

Captaines, Souldiours, Musters.

the space of a moneth, and lose his office and rounth. But no Lieutenant, or other person aforesaid shal be charged or prejudiced for lacke of his number retained, for, or concerning any souldier which shall happen to die during his seruice, or to bee sicke by the visitation of God, or that shall depart against the will of his Lieutenant or &c. vnlesse it shalbe in default of any of them. 2. Ed. 6. 2.

Retaining of wages.

7 ¶ This statute is not prejudicial to the Lieutenant or any other the said persons, or any other, nor any of them, hauing vnder them retinue of souldiers for not paying the Queenes wages to their household seruants, and others to whom they shall daily finde & giue meate and drinke, during the sayd seruice of warre, or for detaining any part of any of the souldiers wages, toward, or for the paiement of vitailles, harneis, weapons, or for any prest money prouided and deliuered to any such souldier. 2. Ed. 6. 2.

Causes to retaine the souldiours wages

8 ¶ It is lawfull to euery Lieutenant, Deputie, Admirall &c. to retaine in his owne handes to his owne vse, of the wages of his souldiours these summes following, that is to say vi. s. viii. d. for the liuery, or coate of euery yeoman souldier, xiii. s. iiii. d. for the liuery or coate of euery gentleman souldier for a whole yeere 2. Ed. 6. 2.

Reliefe of friends or tenants toward seruice in war.

9 ¶ This statute doeth not charge any person for the receiuing of any gift or reward of any of his tenants or friends, towards the ayde, helpe or reliefe of the same person, being commanded by the Queene to serue in warres, or otherwise to finde men on horsebacke or on foote, as well within this realme as without, nor for the gift, rewarde, ayde or helpe reserued, or couenanted to be paid or giuen to any person appoynted to serue in warres, or to finde horse or men to serue, by reason of any grant, couenant, reseruatiō, custome or tenure. 2. Ed. 6. 2. But no person shal by colour hereof exact, demand, or leuy any summe of money, horse, armour or other thing, other then shall be imployed forthwith in the present seruice of those warres of the Queenes, for which it was leuied, the which summe of money, horse, armour, or other thing, or as much thereof as shall not be spent, lost or consumed in the sayd seruice, shalbe restored to such person as payed and deliuered the same, vpon the penalties & forfeitures aforesaid. 4. & 5. R. & H. 3. Quere what these forfeitures be.

Quere. Proclamatiō of this Act.

10 ¶ If a Lieutenant of an armie doeth not in euery field vnder his charge, proclaime the whole effect and contents of this act euery moneth, and euery of the Queenes Deputies and Captaines of any fortresse, proclaime it within his charge once euery quarter of a yeere, he so offending, shall forfeite x. li. 2. Ed. 6. 2.

11 ¶ Euery person giuing to the Lieutenant, or the others aboue named,

named, true information of any offence aboue remembred, shall haue for his labour one moneths wages of him that shalbe found faultie, to be payed by the hand of the treasurer, vpon warrant of the Lieutenant of *Ec. 2. Ed. 6. 2. 4. & 5. H. 8. D. 3.*

The reward of the Informer.

12 ¶ If any person which shalbe commanded, generally or specially, to muster befoze any such as shall haue aucthoritie or commandement for the same by or from the Queene, her heires or successors, or by any Lieutenant, warden or other person, aucthorised for the same, doeth willingly absent himselfe from the same muster, hauing no true and reasonable excuse of sicknesse or other lawfull impediment, or at his apparance at such musters doeth not bring with him such his best furniture, aray & Armour, as he shall then haue for his owne person in areadinesse, he shal for euery such offence suffer x. dayes imprisonment without baile or mainprise, by the commandement of such as shal haue aucthoritie to take the same musters, vnlesse he do agree with the sayd Commissioners, or two of them to pay to the vse of the Queene *Ec.* for euery such offence xl. s. for a fine, which fine after the agreement for the payment of the same, shall be certified and estreated into the Eschequer, by such as haue power to take the sayd musters, or two of them vnder their seales, within two moneths next after such agreement, & then shall be leuied as fines assessed by Iustices of Assise or gaole deliuerie in their circuites are vsed to be. *4. & 5. H. 8. D. 3.*

Absenting fra the musters or not bringing his best furniture.

13 ¶ No person inhabiting within any Citie, borough, or towne corporat, being a countie of it selfe, or in which any Iustices of peace be or hereafter shalbe by charter, shalbe compellable by vertue of this Act, to make his apparance with such furniture as is aforesayd, at any muster to be had or taken out of the suburbes, precinct or liberties of the same Citie, Borough or towne, nor befoze any person or persons aucthorized by Commission or otherwise as is aforesayd, vnlesse the Mayor, or other head Officer of such Citie, borough or towne, and one other discreete inhabitant of the same at the least, bee ioyned in the same commission or other aucthoritie with the same person or persons so aucthorized. *4. & 5. H. 8. D. 3.*

Dwellers in Cities shalbe mustered only within p same.

14 ¶ If any person which shalbe comanded by the Queene, her heires, or successors, by commission, letters or otherwise, aucthorized to leuy muster, or make any men to serue in her warres, or otherwise for the defence of this Realme, do by any meane exact, leuy, receiue or take, or cause to be taken any money, or other reward or thing whatsoever of any person for seruice in the warres, or that shall bee appointed, named, or mustered to serue in any such seruice, or for the sparing, or discharging of such person from the sayd seruice, then he shal forfeit

Musterma- sters taking reward to di's charge others.

x. times

Captaines, Souldiers, Musters.

x. times so much as he shall receiue, exact or take, to the D. and J. to be recovered by A. J. &c. wherein no W. E. P. &c. But this Acte doeth not take away or discharge any tenant or Farmer of his seruice or couenant towards his lord, for the finding of horse, armour or weapon, or for doing of seruice by himselfe, or by any other (which by the tenure of his land otherwise he is bound to doe) but he shall do, yeelde, and pay the same &c. as before he should. 4. & 5. P. & D. 3.

**A Captaine
doth licence
his souldiers
to depart, or
doth not pay
their wages.**

15 **I**f any Captaine, petit Captaine, or other hauing charge of men, for seruice in warre, shall for any aduantage or gaine by him to be receiued, discharge or licence any of the men or souldiers (appointed to serue in the warre vnder his rule, or order) to depart from the same seruice, or shall not pay vnto his souldiours and to euery of them their full & whole wages, conduite, & coat money, within x. daies next after he shall haue receiued the same, then the partie offending in giuing such licence or discharge, shall forfeite for euery such offence x. times the value of the thing so receiued to the D. & J. to be recovered by A. J. wherein no W. E. or P. &c. and shall also pay to euery such souldiour from whom he shall withhold any such wages, conduite or coate money, treble the summe so withholden. 4. & 5. P. & D. 3.

**By whom of-
fences shalbe
reformed.**

16 **I**f any offence touching Captaines, Petty Captaines or other hauing charge of men, shalbe committed during the time that any armie or number of men, being vnder a Lieutenant, shalbe assembled & continue together, or by any Captaine &c. that shall serue any Lord, Warden or other chieftaine, then vpon complaint thereof, the Lord, Lieutenant, warden, or other chieftaine, during the time of his commission, shall and may heare, order and determine the same offences by his or their discretions. And if any Captaine, petty Captaine &c. shall be once couicted or ordered by vertue of this Act, for any offence aforesaid, he shall not be escones vaxed, troubled, sued or conuicted for the same offence. 4. & 5. P. & D. 3. S. Iustice of peace, 26.

**An offence but
once punished.**

Castles, Fortresses.

**Conspiring to
take or destroy
any of the
Queenes Cas-
tles or for-
tresses.**

If any person do within this Realme, or else where, vnlawfully and of his owne authoritie, imagine, conspire, practise or deuise, by any practise or meanes, with force, or by craft, deuice or sleight, maliciously and rebelliously to take or keepe from the Queene any of her Castles, Towers, Fortresses, or holdes: or maliciously & rebelliously to raze, burne, or destroy any Castle, Bulworke or Fort, or any part of them, hauing any munition or Ordnance of the Queenes therein, or appoynted to be garded with any Souldiours for defence thereof, within any of the Queenes dominions, or the marches of the same:

same: And the same compasses, practises, or deuices, or any of them, shall and do aduisedly, by any expresse words, speech, act, deede or writing, expresse, vtter, or declare, for any of the malicious and rebellious intents aforesaid: Then he thereof being conuicted, shalbe adiudged a Felon, and so shall his Ayders, counsaillers, comforters, consentors, & abbetters knowing thereof. 14. Eliz. 1.

2 **I**f any person do with force, maliciously and rebelliously detain, keepe or withhold from the Queene any of her Castles, Towers, fortresses or holdes within any her dominions, or marches of the same, or any of her ships ordinance, artillerie, or other munitions or fortifications of warres, and do not render & giue by the same to her Maiestie, or to such person as she shall appoynt to receiue the same to her vse, within sixe daies next after he so offending shalbe commanded by the Queenes open proclamations vnder the great seale of England, to be made in any place or market towne within the Countie where any such offence shalbe committed: Or shall wilfully, maliciously and rebelliously burne, or destroy, or cause to be burned or destroyed, any of the Queenes ships, or maliciously and rebelliously barre or cause to be barred any haven within her Graces dominions, Then he being thereof lawfully conuicted, according to the lawes of this Realme, shall be iudged a Traitor, and so shall his ayders, counsaillers and abbetters, and their offences in any of the premisses shall be adiudged high Treason. 14. El. 1. to endure during the Queenes life.

Withholding
the Queenes
Castles or
Shippes.

3 **N**o constable shall distraine any man to giue any money for the keeping of a Castell, if he will doe it himselfe, or procure any sufficient man for him. And if the Queene do carie him with her, or send him vnto her warres, he shall be free from Castell warde during the time that he is in the Queenes host, for that fee for the which he did Knights seruice in the armie. Magna Charta. 9. H. 3. 20.

Castell ward.

1 What purueiance, and in what maner shall be made to vitaille a Castel, S. Purueiours. 6.

Cattell.

If any person doe buy any Oxen, Rontes, Steeres, Kine, Heifers, Calues, Sheepe, Lambes, Goates or Kiddees, liuing, & sell the same againe aliue, (except he keepe and feede the same by the space of sixe weekes in his owne house, ground, farme, or in such ground where he hath the herbage or common of pasture by graunt or prescription) he shall forfeite the double value of the Cattell or things so bought and sold againe, to the D. and J. to be recouered by A. J. &c. wherein no W. C. P. &c. 5. Ed. 6. 14. 13. El. 25.

Buying of
cattell and sel-
ling within
sixe weekes.

H. i.

2 **I**f

No cattell shall
be bought but
in the faire or
market.

2 ¶ If any person doe buy, or commune, and conclude to buy any Oxen, Steeres, Rontes, Kine, Heifors or Calues, but onely in the open faire or market, where the same shall happen to be brought, and put to sale, (except it bee for the prouision of his houtholde, teeme, or Dairy, or except it be a Butcher which shall not sell the same againe alpye) or shall sell the same againe on liue, at or in the Market or fayre where he bought the same during the time of the sayd Fayre or market, he shall forfeite the double value of the Cattell &c. so bought or solde, to the Q. and J. to be recovered by A. J. &c. wherein no W. &c. E. P. &c. 3. and 4. Ed. 6. 19. vntill 27. Eliz. 1. to continue to the ende of the next parliament now next ensuing.

A Cow shalbe
kept for 60.
sheepe, and a
Calfe for 120

3 ¶ If any person which shall keepe or feede aboue the number of vi. score share sheepe, for the most part of the yeere vpon his pastures, lands, feedings or farmes which be continually seuerall and meete for milch Kyne, (and wherein no other person. 21. Octob. An. Do. 1555. had commonly for Cattell any time of the yere) do not keepe for euery iii. score share sheepe, one milch Cow, & for euery vi. score share sheepe reare by yeerely one Calfe, so long as he shall keepe or feede the sayde number of vi. score share sheepe, he shall forfeite for euery Cowe not kept for euery moneth xx. s. And for euery Calfe not reared xx. s. to the Queene and Informer, to bee recovered within one yeere after the offence &c. by accion, information, &c. wherein no W. &c. E. P. &c. 2. & 3. P. & M. 3. 13. El. 25.

A cowe for ten
beastes feede, &
for twoe kine a
calfe.

4 ¶ If any person which doeth keepe or feede vpon his seuerall pastures aboue the number of xx. Oxen, Rontes, Steeres, Scrubs, Heifors, or Kine, doeth not for euery x. beastes keepe one milch Cow, and for euery two Kine, weane and reare by yerely one Calfe (except it chaunce to die) he shall forfeite Vt supra. Prouided that no person shall bee compelled to keepe any Kine, or reare any Calues for such sheepe or other beastes which he keepeth and feedeth onely to be spent in his house. 2. & 3. P. & M. 3. 13. El. 25.

1 That no Butcher shall buy any Cattell and sell them againe a-liue. S. Butchers. 1.

2 Within what time Cattell may be put into coppies woods, See Woods 22.

Certificat of Conuictes.

Certificat into
the kings bench
of euery out-
lawrie, attain-
der and couic-
tion.

¶ If any Clerke of the Crowne, Clerke of the Peace, or Clerke of Assise where any atteinder, conuiction or outlawry of felonie, shalbe before the Iustices of Peace, Gaole deliuerie, or oyer and determiner, doe not certifie a bryefe transcript, containing the tenour and effect of euery

euery Indictmēt, outlawry, conuiction, Clerke attaint, that is to say, the name, surname, and addition of euery person so indicted & thereupon outlawed, conuicted, or Clerke attaint, and the certaintie of his felonie, or other offence, and the day and place when and where it was done, the day and place of his outlawry, conuiction and attainder, into the Kings Bench, within fourtie dayes next after such attainder, conuiction or outlawry, (if the terme then be open,) and if not, within xx. dayes next after the beginning of the Terme next following the sayd xx. dayes: The said Clerke before whom such attainer, outlawry or conuiction, &c. shalbe made, shall forsaite for euery such default of not certifying of euery such Record, xl.s. to the Queene and Informer, to be recovered by A. J. &c. wherein no W. E. or P. &c. And the Clerke of the Crowne in the Kings Bench shall receiue the same certificates and transcripts whensoever they shalbe tendered vnto him by any of the aforesayd Clerkes of the Crowne, of the Peace, or of Assise, or their deputies, vpon paine of forsaiture of xl.s. for euery certificat by him refused. 34. H. 8. 14.

The Clerke of the Crowne shal receiue the certificates.

2 ¶ But if there be more persons named in any such Indictment other then such person attainted, conuicted or outlawed, then the sayd Clerkes shall certifie the transcript of such Indictment, outlawry, or conuiction, onely concerning such person or persons, so indicted and attainted, outlawed, or conuicted into the Kings Bench, which transcript so certified, shall be taken as effectuell in lawe, to all intents against such person against whome it shall be objected or pleaded, as if the very Record thereof, (whereupon he was indicted) were present. 34. H. 8. 14.

The names of those only which be attainted, conuicted &c. shalbe certified.

3 ¶ If the Clerke of the Crowne in the Kings Bench for the time being do not incontinently, and without delay certifie to the Iustices of Gaole deliuerie, and Iustice of peace, of euery Countie of this Realme, (which shall write vnto him for the same) the names and surnames of such persons which be so attainted by outlawry, Clerks attainted, or conuicted, and certified into the Kings Bench, and the causes why, and wherefore they were attainted or conuicted, he shall forsaite for euery name so written for, and not certified by him to the said Iustices, xl.s. 34. H. 8. 14.

Clerke of the Crowne shall certifie the name of conuictes to the Iustices.

4 ¶ This Act shall not extende to the Clerke of the Crowne, Clerkes of the peace, Clerkes of Gaole deliuerie, neither to any of the prenotaries within the Counties of Wales, & Chester, or within the Counties Palatines of Lancaster, and Durham, or any of them, to make any transcript of any such attainer, conuiction, or outlawry of any person conuicted, attainted, or outlawed before the Queenes Iustices

No certificat out of Wales, Chester, Lancaster, Durham.

Cessavit. Challenge.

Wices of her Counties of Wales nor Chester, or Countie of Lancaster, Durham, or any of them, but the same Records shall and may remaine in the custodie of the said Clerkes and p[re]notaries in such manner as they are. 34. H. 8. 14.

Cessavit.

Cessavit as
gainst tenant
by fee farme.

If a man do let his landes to farme, or to finde Estouers in vitaille or lcloathing, which amounteth to the fourth part of the very value of the land, and he that holdeth the lande so charged letteth the same lie fresh, so that a man can finde no distresse by the space of ii. or iii. yeeres, to compell the Farmour to do or yeeld that which is contained in the writing, after the two yeeres past the lessour shall haue an Accion out of the Chauncery to demand the land in demesne. And if he against whom the land is demaunded, come befoze Judgement, and render the arrerages & dammages, and find such surctie as the Court shal thinke sufficient, to pay from thenceforth that which is contained in the writing of lease, he shal retaine the land: And if he tary until it be recovered by Judgement, he shalbe barred for euer after. Glo. 6. Ed. 1. 4.

Cessavit by
the Lord as
gainst his
tenant.

2 In like sort, if a man do detaine from his Lord his due and accustomed seruice by the space of two yerres, the Lord shall haue an action to demaund the land in demesne. And in both these cases, the heire of the demandant shall haue a writ of Entre against the heire of the tenant, and against them to whom the land shalbe aliened, Westm. 2. 13. Ed. 1. 21. There see the fourme of the writ of Cessavit.

Lands aliened
which were
giuen in
Almes.

Contra formam
collationis.

The Almes
withdrawen.

3 If lands giuen for y^e feeding of poore people or other Almes to be maintained or done, be aliened by those to whom they are giuen, if they were giuen by the Queene or any of her progenitors, the lands shall be taken into the Queenes hands & retayned at her pleasure, & the buyer shall lose his recovery aswell of the lands as of the money which he payde. And if they were giuen by an Erle, Baron, or other person, he by whom or by whose auncestour the land so aliened was giuen, shal haue a writ of Contra formam collationis, to recouer the land in demesne. But if the land so giuen for sustenance of poore people or other Almes to be maintained or done, be not Aliened, but such Almes is withdrawen by the space of two yeeres, an Accion shal lye for the dono^r or his heire, to demand the land so giuen in demesne, as it is ordeyned in the statute of Glouc. for lands leasid, to render the fourth part of the value or more. West. 2. 13. Ed. 1. 41.

Challenge.

Challenge in a
bill of attainr
sued in Londo.

NOne of the petit Jurie, nor other parties named in any Bill of Attaint sued in the Hustings of London (holden for common pleas befoze the Maior and the Aldermen) vpon any untrue verdict giuen

giuen in any of the Courtes of the sayd Citie, shall or may haue any Challenge to the array, or to any person or Doll therein being impanelled, for lacke of sufficient goods or landes. 11.Hen.7.21.S. Attaint 14.

2 ¶ Every person being a Citizen of the Citie of London, and in value of goods and cattels to the summe of foure hundred markes, may be impanelled & returned by the sherifes of the said citie, in euery Attaint brought by writ by vertue of the statute of 23.H.8. vpon verdicts giuen by the Citizens of the sayd citie without any Challenge for the insufficiencie of freehold of any of them, to be made by any of the parties in such attaint. 37.H.8.5.S. Attaint 14.

Challenge in a writ of attaint sued in London.

3 ¶ It is a principall Challenge in any of the Courtes within the Citie of London in any suit where the lands or tenements, or action personall, wherein the debt or dammages amounteth to xl. markes or aboue, that the partie impanelled in the Enquest hath not landes, tenements, goods or cattels, to the value of one hundred markes, if it be alledged by any of the parties and so found. And no person shalbe impanelled, summoned or sworn in any Jury or Enquest, in Courtes within the same citie, except he be of landes, tenements, or goods and cattels to the value of xl. markes. 11.H.7.21.S. Jurors 16.

Challenge in London where the thing in demand is worth xl. markes.

4 ¶ The Challenge commonly called (Reins deins le gard) within the Citie of London, shalbe no Challenge, but vtterly voyde. 7.Hen.7.4.

Miens deins le gard.

5 ¶ If a man Challenge a Turie, or a Turour for the Queene, he shall shewe cause of his Challenge forthwith, which cause shall immediatly be tryed by the Iustices discretion, whether it be true or not. 33.Ed.1.

Challenge for the Queene.

6 ¶ No indictor shalbe put in the Enquest vpon the deliuerance of the partie indicted of Trespasse or felonie, if hee which is indicted doeth challenge him for that cause. 25.Ed.3.3.S. Jurors 3.

Challenge of the Indictor.

7 ¶ It is a good Challenge for the partie, where an Enquest is taken vpon the death of a man, or betwixt party and partie in any plea reall or personall, where the debt or dammage doeth amount to xl. markes, to say that any impanelled, hath not landes or tenements to the perely value of xl. shillings aboue all charges. 2.H.5.3. But this statute is to be intended onely of Enquests to be had betwixt Denizen & Denizen, & not where trial is to be made Per medietat. linguæ where an Alien is one partie, according to the statute of 28.Ed.3.13.8.H.6.29. And euery person being the Queenes naturall subiect borne, which by any name doeth enioy the libierties of any Citie, borough or towne corporat, where hee dwelleth and maketh his abode, being

Challenge where þ thing in demand is worth xl. markes.

Inhabitant of townes corporate.

Challenge.

worth in moueable goods to the cleare value of xl.li. shall be admitted in tryall of murders and felonies in euery Sessions and Gaole deliuerie holden for the liberties of euery such citie, borough or towne corporate, albeit he hath no freehold. 23. H. 8. 13. S. Iurors 15.

Challenge by
one arraigned
by speciall
commission.

8 ¶ If a Commission of Oyer and determiner bee directed into any Countie for the trial of any person which doeth confesse any treason, misprision of treason, or murder to thre of the Queenes Counsell, or is vehemently suspected thereof, no Challenge for the Shire or hundred shall be allowed vnto him. But the Challenge of any Iuror for lacke of frecholde of the perely value of xl. shillings shall be allowed. 33. H. 8. 23. Neither shall he haue any Challenge to the hundred, which is arraigned for any offence committed vpon the sea, or in any other place, where the Admirall hath iurisdiction, before Commissioners thereunto aucthorized by the Queenes Commission vnder the great seale. 28. H. 8. 15.

Challenge by
arraignment
of Piracie.

Challenge by
one arraigned
for offence com-
mitted within
the verge.

9 ¶ He that is arraigned of treason, murder or manslaughter committed within the verge, shall haue no maner of Challenge to any of the Iury, (malice onely excepted) 33. H. 8. 12. Neither he which being the Queenes seruant swoyne, and whose name is in the Chequer roule of the Queenes household, vnder the degree of a Lord, which is arraigned for conspiring with any other to destroy any Lorde of this Realme, or any other swoyne to the Queenes Counsell, or the Stewarde, Treasorer or Comptroller of the Queenes house. 3. H. 7. 14.

Challenge by
one that con-
spireth any
Lords death.

No peremp-
torie challenge
in treason.

No perempto-
rie challenge in
murder,
felony.

10 ¶ Peremptorie Challenge shall not be allowed in any cases of high treason, or misprison of high treason. 33. H. 8. 23.

11 ¶ No person arraigned for any Petit treason, murder, or felonie shall be admitted to any Peremptorie challenge aboue the number of xx. 22. H. 8. 14. 32. H. 8. 3.

Challenge.

Seditious
wordes.

12 ¶ The partie indited and arraigned of any of the offences prohibited by the Act (prouided An. 23. El. against seditious wordes and rumours vttered against the Queene) shall haue aduantage of all maner of Challenges to the Iurie, as in triall of felonie is vled. 23. El. 2. S. Newes. 8.

Challenge by
an inquisition
of collusion.

13 ¶ If he which is impleaded for land by any ecclesiasticall person, doth make default, whereby iudgement ought to be giuen against him, if the Court doe inquire by Iurie of the Countrey, whether the demaundant had right in the landes demaunded or not, euery Lord of whom the same landes be holden shall be allowed to challenge the Iurors of the same inquisition, and so shall any man for the Queene that will. West. 2. 13. Ed. 1. 33.

1 That vpon the triall of any issue in a personall action no Challenge for the hundred shall be allowed, if 2. sufficient hundreders doe appeare, See Iurors 19.

Chester, Cheshire.

The lawe and administration of Justice, and all other things in the Countie of Chester in times past vsed to be had at the shire Sessions kept in Chester two times in the peere. dayes, shalbe holden, had, made, done, & executed by the Justicer of the said Countie for the time being, at two times in the peere onely, that is to say, at the Sessions next after the feast of Saint Michael, and at the Sessions next after Easter, during so many dayes at euery of the said times as neede shall require, in like maner and fourme, as it is vsed and executed in the Countie Palantine of Lancaster. 32 Hen. 8. 43. And the said two Sessions shall and may be holden at such time and times, as by the sayd Justice or his Deputie shall be appointed, as well befoze the said feastes of Easter and Michaelmas, as any other time, according as is commonly vsed in other shires of this Realme, so alwayes open proclamation be thereof made, by the space of fifteene dayes at the least befoze the first day of the keeping of the same Sessions. 33 H. 8. 13.

2 **T**he Countie palantine of Chester shall haue two knightes Two knightes and two Burgeses for the Parliament in Chester. for the said Countie, and two Citizens to the burgeses for the Citie of Chester, to be elected for euery parliament by proces awarded by the Chauncelloz of England, to the Chamberlaine of Chester, his lieutenant, or Deputie, And like proces to be made by the said Chamberlaine or &c. to the Sherife of the Countie of Chester. And the election shalbe made, in like maner and fourme to all intents as is vsed in other shires and Citie, and euery of the sayde Knightes and Burgeses so elected, shalbe returned into the Chauncerie of England by the Sherife in due fourme, vpon like payne as other sherifes of other shires, &c. And euery of the said Knightes and Burgeses shall haue like voyce, authoritie, liberties, priuiledges, wages, fees, and commodities as other Knightes and Burgeses of the same Court of parliament enioy, vse, and haue. 34 H. 8. 13.

3 **I**f any person of the Countie of Chester, resiant in the same County doe commit any murther or felonie in any place out of the same Countie, proces shalbe awarded against him by the Common lawe vnto the exigent, in the Countie where the offence was committed: And if he flee from thence into the Countie of Chester, and be outlawed for the saide murther, or felonie, the same outlawrie or exigent shalbe certified vnto the officers of the Countie of Chester, and the felon shalbe taken by the same officers, and his landes, tenements, An inhabitant of the Countie of Chester committeth felony or murther in an other shire. goods

Chester. Cheshire.

goods and cattels, within the same Countie of Chester, shalbe seised as forfait to the Queene or him which shalbe Lorde of the sayd Countie of Chester for the time, and the Queene shall haue the yeere, day and waste, and the other landes, goods, &c. of such felon, being out of the said Countie, shalbe forfait to the Queene and other Lords which haue franchises. And in the same maner it is of any person of the said Countie, resiant or dwelling in the same Countie, which committeth Baterie, or other trespass in an other Countie, and then fleeth into the Countie of Chester, his goods shalbe forfait, &c. and if hee be outlawed, the outlawrie shalbe certified to the same officers of Chester, & his person shalbe taken, and his goods and cattels shall be forfait &c. *Vt supra, 1. Hen. 4. 18.*

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|-----------------------|---|
| Protection. | 1 That no protection shalbe graunted to any person within the Countie of Chester, without the Queenes speciall warrant. <i>S. Protection, 5.</i> |
| Proclamations. | 2 For proclamations vpon Exigents, to be awarded against any person dwelling in the Countie palantine of Chester or the Citie of Chester. <i>S. Exigents. 6.</i> |
| Deputies. | 3 That euery sherife of the Countie of Chester and of the Citie of Chester, shall haue a deputie in the Kings Bench, and common place. <i>S. Exigents. 7.</i> |
| Fines. | 4 That fines may bee leuyed before the high Iustice of Chester, his deputie or lieutenant, of lands being within the countie palantine of Chester. <i>S. Fines. 13.</i> |
| Tales. | 5 That a Tales de circumstantibus is grautable in the Countie of Chester, where a full Iurie doth not appeare. <i>See Iurors. 21. 23.</i> |
| Sewers. | 6 In what sort, and by whome the commission of Sewers shall be directed within the fees of the countie palantine of Chester. <i>S. Sewers. 18. 19.</i> |
| Statutes. | 7 For statutes to be acknowledged before the Maior of Chester. <i>S. Statutes. 1.</i> |
| Offices. | 8 Howe offices found in the countie of Chester, shalbe receiued and certified into the court of wards. <i>S. Offices. 7.</i> |
| Coroners. | 9 That two Coroners shalbe for Cheshire, and for their authoritie. <i>S. Coroners. 20.</i> |
| Inrolments. | 10 For Inrolments of bargaines and sales of landes in the countie of Chester. <i>S. Inrolments. 4. 5.</i>
11 Where the Shirifes Countie court for Cheshire shall be kept. <i>S. Countie 2.</i>
12 For inrolling of fines and recoueries in the Countie of Chester. <i>See fines 29. &c.</i> |

The Cheirographer of the Common place, his farmour, deputie or lieutenant, shal not take any more then iiii. s. for any fine leuied in the same Court. And if the farmour, deputie, or lieutenant, doe take any more, he shall forfeit his office, bee excluded the same Court, suffer one yeeres imprisonment, and pay to the partie grieved his treble dammages, and the partie grieved shall haue his suite before the Iustices of the same Court, 2. Henrici, 4. 8. Westminster, 2. 13. Edwardi 1. 44.

The Cheirographers fee, vpon euery fine,

2 **A**ll wittes of Couenaunt, and all other wittes whereupon fines shall be leuied, with the wittes of Dedimus potestatem (if any be) with all knowledges, and notes of the same, before that they be drawn out of the Common place by the Cheirographer, shall be inrouled in a roule to be of recorde for euer, to remaine in the safe custodie of the chiefe Clerke of the common place, and of his successors, for the old fee of xxi. d. accustomed to be payed to the chiefe Clerke, for the entring of the recorde of euery fine, without paying any more, to the intent that if the notes in the Custodie of the Cheirographer, or the fines be imbeasiled, a man may haue recourse to the sayd roule, to haue execution, as he should haue, if the fines were not imbeasiled. 5. H. 4. 14.

Inrouling of wittes in the common place whereupon fines be leuied.

1 That the Cheirographer shal make a table containing the content of euery fine, & what he shall haue for the same, S. Fines 25.

Citation.

If any person be cited, sommoned, or otherwise called to appeare, by himselfe, or his procurator, before any Ordinarie, Archdeacon, Commissarie, Officiall, or other Iudge spirituall, by vertue of his office, or at the suit of any person, out of the Dioces or peculiar Iurisdiction, where the partie cited, summoned, or called, dwelled at the time of the same Citation awarded, the sayd Ordinarie, Archdeacon, &c. shall forfeit to the partie so cited double dammages, and costes for vexation to be recouered by A. of debt, or A. vpon the case, by A. B. P. &c. and also shall forfeit x. pounce to the Queene and Informer, to be recouered, by A. T. &c. wherein no W. &c. E. P. &c. (except it be for any spirituall offence, or cause committed, done, forslowd, neglected, or committed by any Bishoppe, Archdeacon, or other person hauing spirituall Iurisdiction, or being a spirituall iudge, or by any other person within the Dioces, or Iurisdiction, whereunto hee shall be cited, or otherwise lawfully called to appeare and answer, or except it be by or vpon matter or cause of appeale, or for other lawfull cause, wherein any partie shall finde himselfe grieved or wronged by the

No persn shal be cited to appeare out of the Dioces where he dwelleth.

Exceptions.

Citation, Clergie.

the Ordinarie, Iudge, or Iudges of the Dioces or Iurisdiction, or by any of his substitutes or ministers, after the matter or cause there first commenced and begunne, to be shewed to the Archbishoppe or Bishop, or any other hauing peculiar Iurisdiction, within whose Prouince the Dioces or place peculiar is: Or in case that the Iudge dare not, or will not conuent the partie to be sued before him: Or that the Bishoppe of the Dioces or the Iudge of the place, within whose Iurisdiction or before whome the suite by this Acte should bee commenced and prosecuted be partly directly, or indirectly to the matter or cause of the same suite: Or that any Bishoppe, or any inferiour Iudge hauing vnder him Iurisdiction in his owne right and title, or by commission, doe make request or instaunce to the Archbishop, or other superiour ordinarie or Iudge, to take, treat, examine, or determine the matter before him or his Substitute, and that to be done in cases onely where the Ciuill or Canon lawe doth affirme execution of such request or instance of Iurisdiction, to be lawfull or tolerable: Or except it be for testaments to be proued before the Archbishop of Canterburie, by reason of his prerogatiue, or for Testaments to bee proued before the Archbishop of Yorke, within his Iurisdiction, by reason of any prerogatiue. 23. H. 8. 9. 1. El. 1.

Archbishops
may cite for
heresie.

2 ¶ It is lawfull for any Archbishop of this Realme to cite, call, and summon any person dwelling in any Bishoppes Dioces within his prouince, for causes of heresie, if the Bishoppe or other ordinarie immediat thereunto consent, or doe not his duetie in the punishment of the same. 23. H. 8. 9. 1. El. 1.

iii. d. for the
seale of a Ci-
tation.

3 ¶ If any Archbishoppe, Bishoppe, Ordinarie, Officiall, Commissarie or other person hauing spirituall Iurisdiction, or any substitute or minister of his doe aske, demande, take or receyue more then iii. d. for the seale of any Citation, he shall pay to the partie of whome &c. double dammages and costes, and shall forfait for euery offence x. pound to the Queene and Informer, &c. to be recouered by A. J. &c. wherein no W. &c. E. 23. H. 8. 9. 1. El. 1.

Clergie.

Outpurse.

NO person shall haue the priuiledge of his Clergie which shall be indicted, or apealed for felonious taking of any money, goods, or Cattels from the person of any other, priuily without his knowledge in any place whatsoeuer, and thereupon found gultie by verdict of xii. men, or shall confesse the same vpon his arraignment, or will not answere directly to the same according to the lawes of this Realme, or shall stand wilfully, or of malice, or obstinately mute, or challenge

challenge Peremptorie aboue the number of xx. or shalbe vpon such indictment or appeale outlawed. 8. El. 4.

2 ¶ Noz he which vnlawfully conspireth, compasseth, imagineth, practiseth, or deuisech by any meanes with force, sleight, or deuice, to take, or keepe from the Queene any of her Castels, Towers, fortresses, or holdes, or maliciously and rebelliously to rase, burne, or destroy any Castell, Bulwarke, or Fort, or any part of them, hauing munition or ordinance of the Queenes therein, or appointed to be garded with Souldiers for defence thereof, within any of the Queenes dominions, or the Marches of the same, and the same conspiracies &c. aduisedly by expresse act, words, or writing doeth declare, for any of the malicious and rebellious intents aforesayd. Noz which is an ayder, counsellor, comforter, consenter or abettour, knowing thereof, to any such offender, and is of any of the sayd offences lawfully conuicted. 14. El. 1. to endure during the Queenes life. S. Castels. 1. Felonie. 4.

Detaining the
Queenes Cas-
tles.

3 ¶ Noz he which being a vagabound of the age of xviij. yeeres or aboue, and being marked, or adiudged to be burned through the gristle of the right eare, and vpon his second conuiction of his rogish life is taken by some person into seruice, from whom he departeth within two yeeres against his will that tooke him. Noz which being twice conuicted as a vagabound, doeth fall the thirde (or more after time) to a rogish life, and is therefore indicted & conuicted. 14. El. 5. 18. El. 3. S. vagabonds. 6. Felonie. 5.

Vagabonds.

4 ¶ Noz he which doth practise inuocation, or coniuration of wicked spirits for any intent, or witchcraft, enchauntment, charme, or sorcerie, whereby any person shalbe killed, or destroyed. Noz which doth the second time practise witchcraft, enchauntment, charme, or sorcerie, whereby any person shalbe consumed, or lamed in his bodie, or member, or wherby any goods of any person shalbe wasted or impaired, being once conuicted of the sayd offence before. Noz which is an aider or counsellor to any of the sayd offenders, and is of any of the sayd offences lawfully conuicted. 5. Eliz. 16. S. Coniuration, 1. 2. 3. Felonie. 6. 7. 8.

Coniuration.

Witchcraft.

5 ¶ Noz he which doth commit buggerie with mankind or beast, and is thereof conuicted by verdict, confession or outlawrie. 25. Hen. 8. 6. 5. El. 17. S. Felonie. 9.

Buggerie.

6 ¶ Noz he which doth maliciously commaunde, hire, or counsel any person to commit petit treason, or wilfull murder, or to doe any robberie in any dwelling house, or in, or neere any high way, or within the marches of England, against Scotland, or wilfully to burne

Commandes-
ments of felo-
nies.

Clergie.

burne any dwelling house, or any part thereof, or any barne then ha-
uing coine therein, and is thereof outlawed, or otherwise attainted, or
conuicted, or being arraigned do stand mute of malice, or do challenge
peremptorie aboue xx. or will not answere directly to such offence. 4.
and 5. H. and H. 4.

Attainted
where the
goods were
caried.

7 ¶ Now he which is indicted, arraigned and attainted, or refu-
seth lawfull triall in a Countie where he was taken with the maner,
and whereunto the goods stolen in a forreigne Countie were con-
ueyed, if so be that hee might not haue had his clergie in the other
countie where the goods were stolen. 25. Hen. octau. 3. 5. Edwardi
sexti. 10.

Forger of
deedes.

8 ¶ Now he which being once conuicted, or condemned of any
of the offences prohibited by the statute prouided 5. Eliza. against the
forging of euidences and writings, by any of the wayes in the same
statute limitted, shal after any his such condemnation, eftsoones com-
mit any of the sayd offences in fourme in the said statute expressed. 5.
El. 14. S. Forger, &c. 4.

Souldier.

9 ¶ Now any Souldier seruing the Queene in her warres, in
any of her dominions, or on the sea, or beyond the sea, or in Scotland,
or in any Garison, which departeth without licence of the Lieute-
nant, high Admirall, Viceadmirall, Warden, or Captaine, and in
their absence, of their Lieutenants. 2. Edwardi sexti 2. S. Cap-
taine, 3.

Rape, bur-
glary.

10 ¶ Now he which is attainted by confession, verdict, or out-
lawrie for any felonious Rape, rauishment, or Burglarie, or for vnlaw-
full and carnall knowledge, and abuse of any woman childe vnder the
age of tenne peeres. 18. El. 6.

Egyptian.

11 ¶ Now any person of the age of fourteene peeres or aboue,
calling himselte an Egyptian, or being in company with them, or
counterfeiting, or disguising himselte by his apparell, speach or other
behaviour like vnto the vagabonds calling them selues Egyptians,
and so doth continue, at one, or seuerall times by the space of a mo-
neth. 1. & 2. H. & H. 4. 5. El. 20. S. Egyptians 2.

Clergie.

12 ¶ Now any person which is attainted of any of the offences
made felonie by the statute prouided 23. El. 2. against seditious words
& rumors vttered against the Queenes Maiestie. 23. El. 2. S. Newes,
5. 6. 7.

Willful mur-
der, poisoning,
Robbing in
highwayes,
Stealing of
horses.

13 ¶ Now he which doth commit any willfull murder, or willfull
poysoning of malice prepensed: Now which doeth robbe any person,
in or neere vnto the high way: Now which doeth steale any horses,
geldings or mares, (or any horse, gelding or mare. 3. Ed. 6. 33.) Now
which

which doeth feloniously take goods out of any Church or Chappell. Nor which doth breake any house by day or by night, any person being in the same, and there by put in feare, or doeth robbe any person in any part of his dwelling house, or dwelling place, the owner or dweller in the same house, his wife, his children, or servants, being the with in the same house or place, where the robbery was done, or in any other place within the precinct of the same house, or dwelling place, and then being waking or sleeping. Nor which doeth robbe any person being in a tent or booth, in a faire or market, the owner, his wife, children, or any servant then being within the same bothe or tent, whether they then and there being, shalbe sleeping or waking, and is of any of the said offences in due forme of lawe attainted, or convicted, or being indicted or appealed of any of the same offences, and thereupon founde guiltie by verdict, or shall confesse the same upon his arraignment, or will not answer directly according to the lawes of this Realme, or shall stand wilfully, or of malice mute. 23. H. 8. 1. 32. H. 8. 3. 1. Ed. 6. 12. 5. Ed. 6. 9.

Robbing of
Churches.
Robbing of
houses.

Robbing of
booths.

14 Nor he which doth wittingly and willingly receive, relieve, comfort, aide, or maintaine any Jesuite, Seminary Priest, or other Priest, Deacon, or Religious or ecclesiastical person whatsoever, being borne within this Realme or any other of Queens highnes dominions, & heretofore (since the feast of S. John the Baptist anno primo El.) ordeined, made, or professed, or herafter to be made, ordeined, or professed by any authoritie, or Jurisdiction, deriued, chalenged or pretended from sea of Rome being at libertie or out of hold, knowing him to be a Jesuite, Seminary Priest, or such other Priest, Deacon, or Religious or ecclesiasticall person as is aforesayd. 27. El. 2. S. Iesuites. 3.

Receiving or
relieving any
Jesuite or
Priest.

15 In all other cases of felonie, other then such as bee before mentioned, every person which shall bee arraigned, or found guiltie upon his arraignment, or shall confesse the same, or shall stand wilfully or of malice mute, or will not answer directly, shall have and enjoy the privilege of his Clergie and sanctuarie, in like maner, as he should have done before the 24. April. An. 1. H. 8. 1. Ed. 6. 12.

Clergie allow-
able in al other
cases.

16 Every person (not being within orders) which once hath bene admitted to the benefite of his Clergie, being eftsoones arraigned of any such offence, shall not be admitted to have the privilege of his Clergie. And every person convicted shall bee marked by the Baylour openly in the Court before the Judge. 4. Henrici. 7. 13. Such as be within holy orders shall be and stande under the same paynes and damages for their offences &c. and bee used and ordered to all intents, as other persons not being within holy orders shall bee. 28. H.

Clergie allow-
able but once.

A convict per-
son marked.
Orders of the
Church.

Clergie.

8.1.32. H.8.3. Attamen vide 1. Ed. 6. 12. & 1. & 2. H. and H. 8. &c. & Quere.

Quere.
Bigamus al-
lowed his cler-
gie.

17 ¶ Every person that by any statutes or lawes of this Realme ought to haue, or be admitted to the benefite of his Clergie, shal be admitted to his Clergie, although he hath byne sundry times married to any single woman, or single women, or to any widow or widowes, or to two wiues or mo. 1. Ed. 6. 12.

He that is al-
lowed his cler-
gie, shall an-
swere to for-
mer offences.

18 ¶ Every person which shall vpon his arraignment, for any felonie be admitted to his Clergie by the lawes of this Realme, and shall before the same admission haue committed any other offence, whereupon Clergie by the lawes and statutes is not allowable, and not being thereof before indicted, and acquitted, conuicted or attained, or pardoned, shall and may bee indicted, or appealed for the same, and thereupon ordered, and vsed in all thinges according to the lawes, in such maner as though no such admission of Clergie had bene. 8. El. 4. And euery person which shall be admitted to haue the benefite of his Clergie, shall notwithstanding his admission to the same, be put to answer to all other felonies whereof he shall be indicted or appealed, and not being thereof before acquitted, conuicted, attained or pardoned, and shal in such maner and forme be arraigned, tryed, adiudged and suffer such execution for the same, as he shoulde haue done if (as Clerke conuict) he had bene deliuered to the Ordinarie and there had made his purgation. 18. El. 6.

A Lord of the
Parliament.

19 ¶ In euery case where any of the Ducenes subiectes may vpon his prayer haue the priuiledge of Clergie, as a Clerke conuict, that may make purgation, in all those cases, and also in euery case of felonie wherein the priuiledge of Clergie is taken away by the stat. of 1. Edward. 6. wilfull murder, and poysoning of malice pre-pensed onely except (videlicet for breaking any house &c. robbing any person in or neere vnto y^e high way, stealing of Horses, or robbing any Church or Chappel) a Lorde of the Parliament, and Peere of the Realme, hauing place and voyce in Parliament, shall of common grace vpon his request, alleadging that he is a Lord or Peere of the Realme, and clayming the benefite of this statute though he can not reade, without any burning in the hande, losse of inheritance, or corruption of blood, be taken, and vsed for the first time, onely as a Clerke conuict, which may make purgation, without any further, or other Priuiledge of Clergie, to any such Lord, or Peere, from thenceforth at any time after, for any cause to be allowed. 1. Edward. 6. 12. But in all other cases where Clergie is taken away, by any statute made since 1. Edward. 6. it seemeth that a Lorde of the Parliament is

in the same case as another inferiour person. Sed Quere.

20 ¶ Every person which shall bee admitted to haue the benefite of his Clergie, shall not thereupon be deliuered to the Ordinarie, as hath bene accustomed, but after such Clergie allowed, and burning in the hande, shall forthwith be enlarged, and deliuered out of prison by the Iustices befoze whome such Clergie shall be graunted. But the sayd Iustices shall and may for the further correction of such persons to whome Clergie shall be allowed, deteine them in prison for such conuenient time as the same Iustices shall thinke conuenient, so as the same doe not excede one yeers imprisonment. 18. El. 6.

Quere.
Clergie allowed without deliuerie to the ordinarie.

Clerke of the market.

The Clerke of the market of the Queenes house, shall take no common fine, but every person which is founde in default touching the same office, shall be punished according to his desertes. The sayd Clerke shall ride but with sixe horses at the most, and shall not tarie in any towne, or other place, longer then the necessitie of his businesse doeth require, and if he doe any thing contrary to this statute, and is thereof duely conuicted, he shall pay to the Queene at the first time £.s. at the second time x. li. and at the third time xx. li. 13. Rich. 2. 4. The Clerke of the market shall haue all his weights and measures signed according to the standart of the Eschequer with him, when he goeth to assay weightes and measures. And he nor none other shall vse any other weight or measure, decimo sexto Richardi secundi. 3.

Clerke, &c. shall take no common fine.

The Clerke shall haue his weights with him.

2 ¶ In all places where so euer the Queene in her owne royall person shall come to rest, tarie, abide, or make her repose within any her dominions within libertie or without, there and within the verge limited or accustomed to her court, during the time of her abode, her graces Clerke of the market, and none other during the same time, as well within liberties as without, shall exercise the office of a Clerke of the Market, any priuiledge, graunt, allowance, or other thing to the contrary thereof notwithstanding: But this shall not bee preiudicall to the citie of London, but the sayd citie may vse such liberties as they might befoze. &c. 27. H. 8. 24. 32. H. 8. 20.

Clerke &c. of the Queenes house shall vse an office within the verge & none other.

Clerke of assise.

¶ No Clerke of Assise during the onely time of the Session, of or for any assises or Nisi prius, shall be of counsell with any person within any circuit, whereof he shall be clerke of assise, otherwise then to

Clerke of the signet.&c. Clerke of the Peace.

to that office onely appertaineth, vpon payne to forfait for euery time offending to the contrary. x. li. to the Q. and P. griued, to be recovered by A. J. &c. wherein no W. E. P. &c. 33. P. 8. 24.

1 That the Clerke of assise may execute his office in the countie where he was borne or doth dwell. S. Iustices of assise 2.

Clerke of the signet or priuie seale.

The Clerkes
fees for war-
rants.

Euery Clerke of the signet and priuie seale, shall take for his writing of a warrant vpon a bill of Tales of reward xii. d. for the writing of a warrant of a gift for euery office xx. d. for the writing of a warrant for a pension, annuity or wages, twentie pence, for the writing of a warrant for a special liuery or other perpetuitie sixe shillings eight pence, for writing of a warrant vpon euery byll for a Conge de-lier, Royall assent, restitution of temporalities, donatiues, aduocati- ons, presentations, or other ecclesiastical matter iii. s. iiii. d. for the writing of euery warrant vpon a Placard, Licence, Pardon or Sherifes reward ii. s. for y writing of euery warrant vpon a Denize iii. s. iiii. d. for the writing of a warrant for keeping of an Idiot xx. d. for the writing of a warrant for keeping of a ward iii. s. iiii. d. & no clerke of the signet or priuie seale shall take for the writing of any warrant aboue specified more large fees, then before is appointed, vpon paine to forfait x. pound to the Queene & Informer to be recovered by Action, Information &c. wherein no Wager &c. Essoine, Protection &c. 27. Henrici octau. 11.

Clerke of the Peace.

Custos Rotulo-
rum shall ap-
point Clerke
of the peace.

Clerke of the
peace may
make a deputy

Euery Custos Rotulorum, for the time being, shall at all times in euery shire of this Realme, Wales, and other the Ducenes dominions, marches, and territories of the same, assigne euery person which shalbe Clerke of the peace, within any of the sayde shires, dominions, marches, & territories of the same, & graunt the same office of the Clerkshippe of the peace to such able person instructed in the lawes of this Realme, as shall bee able to exercise the same, to enioy the same during the time that the sayd Custos Rotulorum shall exercise the sayd office of Custos Rotulorum, so that the sayde Clerke demeane him in the sayde office iustly and honestly, & it shall be lawfull to euery such graantees of the sayd Clerkshippe to occupie the same office by himselfe, or his sufficient deputie instructed in the lawes of this Realme, so that the same deputie be admitted by the said Custos Rotulorum, to be sufficient and able to exercise, and enioy the same office. 37. P. 8. 1.

1 The fees of the Clerke of the peace, for every recognisance & licence graunted to every badger, lader, drouer, &c. S. Badger. 3.

2 For the Clerke of the peace his fee, and duetie, for the Inrolment of any deede, S. Inrolments. 2.

Collectour.

Every graunt, patent, or writing that shalbe made to any person by any Archbishop or Bishop alone, or by any of them, and confirmed by Chapter seale of the office of Collectourship of the tenths peerey due to the Queenes Maiestie within the Diocesse and Bishopricke of the grauntoz, by reason of the statute of first fruites and tenths, shall abide in his force no longer time then the grauntoz shall remaine Archbishop or Bishop of the same Sea, whereof hee was possessed at the time of his sayd graunt, any confirmation of the sayd graunt, custome, lawe, or statute, &c. notwithstanding. 7. Edw. 6. 4. 1. Eliz. 4. S. For Collectors, accompt. and debtors to the Queene.

1 Howe collectors of dismes accompting in the Eschequer may be charged in the same, or other courtes, to answer to other. S. Accomptants to the Q. 49.

2 That the lands, goods, &c. of vndercollectours of tenths and subsidies be chargeable to the Q. for the satisfiing of their receipt. S. Accomptants to the Q. 40. 41.

3 Collectours for the repairing of Bridges, their receipt, charge, and accompt, S. Bridges. 3. 4. 5.

4 The duetie, receipt, charge, and accompt of the collectors for the poore, S. Poore. 2. 5. 6. 21. 25. 26.

5 For the duetie, receipt, charge, and accompt of collectors for the making of prisons, S. Prisons. 1. 2.

Commissions, Commissioners.

Where a commission is directed to any person to heare and determine, or to enquire & certifie, which Commissioners neuer knewe of the sayd Commission, neither yet the same ever came to their handes, if the same Commissioners be distrained by proces forth of the Eschequer for issues lost by reason of the said commission, they may take their othes before the Barons of the Eschequer, of their excuse and discharge of the receipt or occupping of the sayd commission: and also the Barons of the Eschequer and the Justices of the one Bench, and the other, haue power by writ of *Dedimus potestatem*, to receiue such othes in the countrey, and thereof to certifie the Barons into the Eschequer, whereupon the Barons shall

Commissioners
not receiuing
the commissi-
on, discharged
byon their
othes.

Commissions, Commissioners.

discharge the sayd Commissioners: and in like sort it shall be done, for the heires, executors or land tenants of the sayd Commissioners: But such othes shall not be taken but in cases of commissions to heare and determine, and to enquire and certifie. 7. Henrici. 4. 11.

**Comissioners
for the decay
of houses and
tillage.**

2 ¶ If the commissioners or foure of them at the least, to whom a commission vnder the great seale of England is directed, to enquire and make search of the offences committed against the statutes made 4. H. 7. 9. 7. H. 8. 1. 27. H. 8. 22. 5. El. 2. (concerning the decaye of houses of husbandrie and tillage, and whether any person to whome any penaltie or forfaiture is giuen by the sayd statutes or any of them, haue taken the benefite of the sayd forfaiture) doe not within thre moneths next after such enquirie and searche, make certificate thereof and of their doings, by vertue of the sayde Commission, into the Chauncerie, vnder their handes and seales, euery of them shall forfait to the Queene, her heires and successors xx. li. 5. El. 2. 27. El. 11.

3 ¶ The same commissioners or two of them at the least, haue authoritie to direct their precept to the Shirifes of the Countie being within the limits of their commission, to warne as many honest men of his bayliwicke as the sayd commissioners shal appoynt, by whome the trueth in the premisses may best be knowen, to enquire and true presentment make of all offences committed contrary to the sayde actes, or any of them, and to set such reasonable fines and amercements vpon such persons as shall make default of their apparances, or making their apparances, shall neglect to doe their dueties in and about the execution of the premisses, as to the sayd Commissioners or foure of them shall be thought conuenient, so that the sayd fines or amercements for one default exceede not xx. s. And the same fines &c. shall be peereley estreated into the Eschequer, to be leuied to the Queenes vse. 5. El. 2. 27. El. 11. to continue vnto the ende of the next Parliament.

Bankrupts. 1 For the authoritie of Commissioners which are to enquire of Bankrupts, and what they shall doe in euery respect. S. Bankrupts, S. 2. &c.

Sewers. 2 For all the authoritie of the Commissioners of Sewers, and what in each respect is to be done by force of the sayd commission. S. Sewers. 1. &c.

Purueiours. 3 In what cases commissions shall bee directed to enquire of purueiours behauiour. S. Purueiours, 18.

**Commission
of peace.** 4 Where one commission of the peace shall not bee superseded to another. S. Iustice of peace, 105.

5 For Commissions to enquire of offences done vpon the sea, Piracie. and for the commissioners authoritie. S. Piracie 1. 2. 4.

6 That purueiours shall shewe their commissions to them, of Purueiours. whom they take any thing. S. Purueiours, 3.

7 For the substance, forme, and continuance of commissions Purueiours. graunted to purueiours, S. Purueiours. 25. 26. 27. 31.

8 Where commissions shall bee graunted to enquire of Iustices of peace and Sheriffes defaultes for not enquiring of Riots, S. Riots, 6.

9 In what cases Treasons may be tried in any Countie, by the Treason. Queenes speciall commission. S. Treason. 9.

10 In what case a commission shalbe graunted to enquire of the Villaines. misdemeanour of villaines, S. Villaines. 1.

11 In what case a commission shall be graunted vpon an Appeal Appeales. out of an Archbishops court. S. Appeales. 5.

12 That no suite before certeyne Iustices and Commissioners shall be discontinued by a new commission. S. Discontinuance of proces, 6.

13 For Commissions vpon appeales vpon ciuil or marine causes. S. Appeales. 8.

14 For the Commission for executing spirituall Iurisdiction and the commissioners authoritie. S. Quene 3.

15 For commissions to enquire of concealements made by offices accomptable in the Eschequer. S. Accompt to the Q. 53.

Condition, Couenant.

As well all and euery person & persons, and bodie politike, their heires, successors & assignes, which haue any gift or graunt of king Henry the eighth, by his letters patētts, of any Lordships, Manors, Lands, Tenements, Rents, Parsonages, Tithes, Portions, or any other hereditaments, or of any reuerſion or reuerſions of the same, as also all other persons being grauntees or assignees, to or by the sayd king, or to or by any other person or persons, then the sayd king H. 8. and the heires, executors, successors, and assignes of euery of them shall and may haue, & enioy like aduantages against the lessees their executors, administrators, and assignes, by entre for non payment of the rent, or for doing of waste, or other forfeiture, and also all and euery such like, and the same aduantage, benefite, and remedies by action onely, for not performing of other conditions, couenants, or agreements contained and expressed in the indentures of their sayd leases, demises, or graunts, against all and euery the lessees, fermors,

Grantees of reuerſions shall take aduantage of conditions and couenants against the lessees.

Condite, Coniuration, &c.

fermors, and grauntees, their executors, administrators and assignes, as the sayd Lessors, or grauntors them selues, or their heires or successors ought, shoulde, or might haue had and enioyed at any time. 32. H. 8. 34.

Lessees shall
haue the same
aduantage as
gainst the
grauntees in
reuerſion that
they might
haue had as
gainst the
grauntors.

2 **C** All fermors, lessees, and grauntees, of Lordships, Manors, Landes, Tenements, Rents, Parsonages, Tithes, Portions, or any other hereditaments for terme of yeeres, life, or liues, their executors, administrators and assignes, shall & may haue like accion, aduantage, and remedie against all and euery person & persons and bodies politique, their heires, successors and assignes, which haue or shall haue any gift or graunt of any person or persons of the reuerſion of the same manors, lands, tenements, and other hereditaments so letten, or any parcell thereof, for any condition, couenant or agreement contained, or expresse in the Indentures of their lease or leases, as the same lessees, or any of them might & should haue had against the sayd lessors and grauntors, their heires or successors (all benefits and aduantages of recoveries in value, by reason of any warrantie in deede, or in law by voucher or otherwise onely excepted) 32. H. 8. 34.

1 Conueiance of land, lease or rent with condition of reuocation or alteration. S. Fraudulent deedes. 7.

Condite.

If any person doe wilfully, maliciously, and unlawfully cut, or cause to be cut out the head or pipe of any condite of any other persons, he shall lose to the party grieved treble damages, to be recovered by accion of trespassse, and shall forfait to the D. x. li. for a fine. 37. H. 8. 6.

Coniuration, Enchauntment, Witchcraft.

Coniuration
is felonie.

The vse, practise, or exercise of any Inuocations, or coniurations of euill and wicked spirits, to, or for any intent or purpose, is felonie, and the offenders, their aidors & counsellours be felons. 5. El. 16.

Witchcraft
whereby any
persō is killed.

2 **C** The vse, practise, or exercise of any Witchcraft, Enchauntment, Charme, or Sorcery, whereby any person shall be killed, or destroyed, is felonie, and the offenders, their aidors and counsellors be felons. 5. El. 16.

Witchcraft
whereby any
person shalbe
lamed or his
goods destroyed.

3 **C** If any person shall vse, practise, or exercise witchcraft, enchauntment, charme or sorcerie, whereby the body or member of an other shalbe wasted, consumed, or lamed, or his goods or cattels destroyed, wasted, or impaired, or shalbe counselling or aiding to the same, he shall for the first offence be imprisoned a whole yeere without baile or mainprise, and once euery quarter of the sayd yeere stand vpon the pillorie, vpon some market or faire day by the space of sixe hours,

houres, and shall openly confesse his errour and offence. And for the second offence being as is a foresayd lawfully convicted or attainted, he shall suffer death as a felon, Saving to the wife of any offender in felonie by this statute her title of dower, and to the heire and successors his title in inheritance, succession, and other rights, as though no such attainder had bene. 5. El. 16.

The inheritance
and wimes
dower saved.

4 ¶ If any person shall take upon him by witchcraft, enchantment, charme or sorcerie, to declare in what place any treasure of gold or silver might be found in the earth, or other severall place, or where things lost or stolen should be founde, or become, or shall practise by enchantment, charme or sorcerie, to the intent to prouoke any person to unlawfull loue, or to hurt or destroy any person in his body, member, or goods, and being thereof lawfully convicted, he shall for the first offence be imprisoned by the space of a yeere without bayle or mayntenance, and shall once every quarter of the said yeere stand upon the pillorie upon the market or faire day sixe houres, and confesse his offence openly &c. and so being once convicted, he shall for his second offence being thereof convicted, forfeite to the Queene all his goods and cattels, and be imprisoned during his life. 5. El. 16.

Declaring by
witchcraft,
where any
treasure, or
stollen things
be, and prouo-
king to loue.

1 That Clergie is taken away from him which is attainted of coniuration, witchcraft, &c. S. Clergie. 4. 21.

2 The penaltie for seeking to knowe by witchcraft, coniuration, calculatio &c. how long the Queene shall live or reigne. S. Newes. 7.

Conspiracie.

Conspirators be they which binde themselves by othe, couenant, or other aliance, that euery one shall helpe and maintaine others purpose, falsely, and maliciously to indite, or to moue or mayntaine suites: And also that cause Infants to appeale other of felonie, whereby they are imprisoned and much griued: And such as retayne men in the Countrey with liueries, or fees, to mayntayne their lewde enterprises, and to subuert the trueth, aswell the takers as the giuers: And Bailifes and Stewards of great Lordes, which by their seignorie, office, or power, doe undertake to mayntaine or vpholde other quarels or suites, then such which concerne their Lordes, or themselves. 33. Ed. 1.

Who be cons-
pirators.

2 ¶ A man shall haue a writte out of the Chauncerie against conspirators, false Informers, and Imbraccours of Assises, Enquestes, and Iuries: and also Iustices of eyther Bench, and of Assise, when they come into the Countrey to take Assises, shall make enquirie therof upon any mans plaint without writ, and shall without delay

The punish-
ment of cons-
pirators.

Conuocation, Corne and Graine.

doe right to the plaintifes. 28. Ed. 1. 10.

Conspiracie
vpon appels,
&c. of felonie
committed in a
place supposed
where there is
no such.

3 **C** Appelles and Inditements of treason and felonie supposed to be done in places where there be no such places in the same Countie, be boyd, and also the proces thereupon awarded: And they which be indicted or appealed may haue a writte of conspiracie agaynst their Inditors, Procurozs, & Conspiratozs, & shall recouer their damages, and the Inditors, Procurozs, and conspiratozs shall be imprisoned, make fine and ransom to the Queene by the Iustices discretion. 9. H. 5. 1. 18. H. 6. 12.

1 For conspiracies or agreements made by Artificers, touching selling their vitales or doing their workes. S. Artificers, 1. 2.

Conuocation.

The Clergie at
the conuocatio
shall haue such
liberties as
they which
come to the
parliament.

AL the Clergie which be called to the Conuocation by the Queenes writ, and all their seruants and familiars, shall fully vse, and enioy such libertie, or defence in coming, tarrying and returning, as the great men, and commōs of the Realme haue, or are wont or ought to enioy, which are called to the parliament. 8. H. 6. 1.

The Clergie
shal not put in
vye any consti-
tutions with-
out the Queenes
assent.

2 **T**he Clergie, nor any of them shall presume to attempt, al- leage, claime, or put in vye, any constitutions, or ordinances prouin- ciall or synodall, or any other Canons, nor shall enact, promulge, or execute any such Canons, constitutions, or ordinances prouinciall by what soeuer name or names they may be called in their conuocati- ons (which alwayes shall be assembled by authoritie of the Queenes writ) vnlesse the same Clergie may haue the Queenes royall assent, and licence to make, promulge, and execute such Canons, Constituti- ons, and ordinances prouinciall or synodall, vpon payne of euery of the sayd clergy doing contrary to this act, and being thereof conuict to suffer imprisonment and make fine at the Queenes will. 25. H. 8. 19. 1. Cl. 1.

Assemblies for
religion shalbe
onely within
England.

3 **N**o person resiant in any of the Queenes dominions, shall depart out of the sayd dominions to or for any visitation, congregati- on, or assemblies for religion, but all such visitations, congregations, and assemblies shall be within the Queenes dominions. 25. H. 8. 21. 1. Cl. 1.

Corne and Graine.

No Corne,
Butter, Cheese,
Beere, Her-
ring, Wood,
shalbe trans-
ported with-
out licence.

NO person shall transport out of this Realme, by any shippe, Crayer or other vessell, into any place beyonde the seas, or into Scotlande, any Wheate, Rye, Barly, or other corne or graine, grow- ing within this Realme, or any Hault made within the same, or any Beere, Butter Cheese, Herring, or Wood, (except onely, to and for

for the victualling and forniture of Berwicke, and the Marches of the same) without lawfull authoritie so to doe, vpon paine that the owner of the sayd Corne, Butter, Cheese, Herring and Wood, to forf. the double value of the same so caried, to the Q. and J. to be recovered by A. J. &c. wherein no W. &c. E. P. &c. And the master and mariners of euery of the sayd shippes &c. for euery such offence to forf. all their goods, and to be imprisoned one whole yeere without bayle or mainprise, And the owner of the sayd shippes &c. to forf. all to the Q. and Informer. &c. the sayd Ships, Crayers, and other vessels, with all their apparels to them belonging, wherein the sayd corne &c. shall be so transported. 1. and 2. P. and M. 5. But no forfeiture of Shippe, Crayer or other vessell, or of any apparell of the same, nor any other penaltie, shall be extended against any owner of any Ship, Crayer or other vessell, for the transporting of any corne or other things aforesaid, vntill the same owner shall be witting, knowing, aiding, or consenting to the prohibited transporting. 5. El. 5. 27. El. 11. Sea fish transported.

But it is lawfull to any of the Queenes subiects to transport out of this Realme in the vessels of any subiectes with crosse sayles euery kinde of Herring and sea fish, to be taken vpon the Seas by any of the sayd subiects. 5. El. 5. 13. El. 11. 8. that in the foresayd statute of 1. & 2. P. & M. 5. the transporting of corne &c. for the victualling and furniture of Calice, Hammes and Gynnes, is excepted, the force whereof remaineth: but consider the meaning of the makers of the statute, and for the vse thereof, Quare &c.

2 ¶ If any person doe cary and conuey away by Boate, Crayer, or other vessell, or other wise, any Wheate, Rye, Barley, Malte, or other corne or graine, or any Beere, Butter, Cheese, Herring, or Wood, to any shippe or vessell being on the seas, or within any haven, creeke, or other place of the border of this Realme, to be transported beyonde the seas, or into Scotland, without sufficient authoritie so to doe, then euery owner of the sayd victuals, corne and other things abovesayd so transported, and the owner of euery such Bote, or vessell, and the boatmen and mariners of the same, shall forf. and suffer all such paynes & penalties as are aboue rehearsed, to the Q. and J. &c. to be rec. by A. J. &c. wherein no W. &c. E. P. &c. 1. & 2. P. & M. 5.

3 ¶ If any person shall obtaine of the Queene, her heires or successors, any licence to transport any corne, victuall, or wood beyonde the seas, if he or any other to whome he shall giue, graunt, or sell his sayd licence, shall cary or cause to be caried any more corne, victuall, or wood, then shall be contained in his sayd licence, he shall forf. the treble value of the sayd corne, victuall or wood, so transported without

Quare.
No corne &c.
shall be caried
to any ship to
be transported

He that hath
licence to trans-
port, carperth
ouer more the
is contained
in his licence.

Corne and Graine.

without sufficient authoritie, and shall suffer imprisonment for one whole yeere without bayle or mainprise in the common gaole, where he shalbe apprehended. 1. and 2. P. and M. 5.

He that hath licence to transport corne &c. shall lade it at one place.

4 ¶ No person that shall haue any such licence for transporting any corne, victuall, or wood, beyond the seas, shall shippe the same, or any part thereof at sundry places within this Realme, but at one place certaine, vpon payne of forfeiture of the same, and all his goods and cattels, to the D. and J. &c. to be recouered by A. J. &c. wherein no W. &c. E. P. &c. 1. and 2. P. and M. 5.

Victualling of shippes.

5 ¶ This act shall not extend to any persons for the necessarie victualling of any shippes or other vessels, eyther shall it be preiudiciall to the lord Admirall of England, for the time being, or to the Queenes Jurisdiction of the admiraltie, but the sayd Admirall or his deputies shall vse and execute all kinde of iurisdiction belonging to the sea, according to his or their commissions. 1. and 2. P. and M. 5.

Euery person may transport Corne of these prices.

6 ¶ At all times, when the common price of corne within this Realme is, that Wheate shall not excede the price of vi. s. viii. d. the quarter, and Rye iii. s. the quarter, & Barley iii. s. the quarter, it shall be lawfull to euery person to cary ouer the sea, to any place of y^e sayd kinds of corne, so y^e it be not the Queenes enemies. 1. & 2. P. & M. 5. 3. Ed. 4. 2. And it shall be lawfull to all and euery person and persons, being subiects to the Queene, her heirs and successours (onely out of such portes or creekes, as by the Queenes proclamation shall be appointed, and not els where) to lade, cary, or transporte any Wheat, Rye, Barley, Malte, Pease, or Beanes, into any partes beyonde the seas, to sell as a marchandize, in ships, crayers, or other vessels whereof any English borne subiect then shal be the onely owners, so that y^e price of the said corne &c. excede not the prices hereafter following, at the time, hauens & places, where & whē y^e same shalbe shipped, v^z. the quarter of Wheat at x. s. y^e quarter, of Rye, Pease, or Beanes at viii. s. the quarter, of Barley, or Malte at vi. s. viii. d. 5. El. 5. 27. El. 1. 1. to continue to the ende of the next Parliament now next ensuing.

Corne of these prices may be transported by the Queenes subiects &c.

Corne may be transported when y^e prices be allowed reasonable by the Lords W^{re}sts^{rs}, or Justices of Assise or peace.

7 ¶ It shall be lawfull to al persons, being subiects of y^e Queene, her heires and successours, and inhabiting within her dominions, (onely out of such portes and creekes, where are, or shall be resident a Customier or collector of subsidie, of Tonnage, and Bondage, or one of their deputies, and not els where) to loade, cary, or transporte any Wheate, Rye, Barley, Malte, Pease, or Beanes into any partes beyond the seas, being in amitie with this Realme, and not prohibited by any restraint, or proclamation, onely to sell as a marchandize in shippes, crayers, or other vessels bearing crosse sayles, whereof any English

English bozne subiectes inhabiting within her highnesse dominions then shall bee the onely owners, at all such times as the seuerall prices thereof shall be so reasonable in the seuerall counties, where any such transportation shalbe intended, as y^e no prohibition shalbe made either by the Queene, her heires or successours, by proclamation to be made in the shire towne or in any port townes of the countie, or els by some order of the Lord President, and Counsell in the North, or the Lord President, and Counsel in Wales, within their seuerall iurisdiccions, or of the Iustices of Assise, at their sessions in other Shires out of the iurisdiction of the sayde two Presidents and Councils, or by the more part of the Iustices of the peace of the Countie at their quarter Sessions in this maner following. That is, the said lords Presidents and Councils for the Shires within their iurisdiccions, the Iustices of Assise at their seuerall Sessions (in other Shires out of the sayde iurisdiccions, belonging to the sayde Councils in the North, and in Wales) peereley shall vpon conference had with the Inhabitants of the Countrey of cheapnesse and dearch of any of the sayde kindes of graine within the Counties, within the iurisdiccions of the said Councils, or in the other Countries, within the limits of the sayde Iustices of Assise, by their discretion determine whether it shall bee meete at any time to permit any graine to bee carped out of the Realme, by any port within the sayde seuerall iurisdiccions or limits, and so shall in wryting vnder their handes and seales make a determination, eyther for permission or prohibition, and the same cause to bee by the Shirife of the Counties published and affixed in as many accustomed market townes and portes within the sayde Shyre, as they shall thinke conuenient, and in such maner, as the Queenes proclamacions are vsually published and affixed, which determination of the said Presidents and Councils in their iurisdiccions, and of the Iustices of Assise in their limits shall continue in force for the time, place, and maner therein expessed, vntill the sayde Presidents and Councils shall otherwise order, or vntill the Iustices of Assise, at their being in their sayd circuites, in euery of the sayde Counties shall alter, or otherwise order the same, except the same shall bee otherwise in the meane time altered or countermaunded by the Queene, her heires or successours, or by some order of the Iustices of peace in the Counties scituated out of the iurisdiccions of the said two Councils, in their quarter sessions to bee holden in the meane time, or the greater part of them, which shall finde the same determination of the Iustices of Assise to be hurtfull to the Countie by meanes of dearch, or to bee a great hinderance to Tillage by meanes of too much cheapnes, and shal by their wrytings

writings vnder their handes and seales, make any determination to the contrary, eyther for permission or prohibition of cariage of any kinde of grayne out of the Realme, and the same determination shall cause in like maner to be published and affixed as aboue is said, which determination shall also continue in force, except the same shall bee altered by the Queene, her heires and successors, or vntill the Iustices of Assise at their being in their sayde Circuites in euery of the sayde Counties afoze to them limitted, shall alter, or otherwise order the same, who shal and may vpon new conference had, from time to time, alter the sayde determinations in the whole, or in the part, as to their discretions shall seeme meete, and the same shal also cause to be published as is before prescribed: But neyther any of the sayde Presidents and Counsels, nor the sayd Iustices of Assise, nor the sayd Iustices of peace, shall publish any their determinations aboue mencioned, vntill the same shall bee first by writing notified to the Q. or to her priue Counsell, and by her Haultie or her priue Counsell shall bee liked and allowed. 13. El. 13.

No determination published without the Queene or her Counsels assent.

The Queene may restraine transporting of corne by proclamation.

8 ¶ The Queene, her heires and successors may at all times by her writte of Proclamation to bee published generally in the whole Realme, or in the Counties of the Realme where any port Townes are, commaunde that no person shall by vertue of this acte transporte any grayne to any partes out of her dominions, eyther generally out of any port in the Realme, or particularly out of any speciall portes to be in the same proclamation named, and it shall not be lawful for any person to cary out any such graine, contrary to the tenor of y^e same proclamation, vpon such paines as by the lawes of the Realme are & haue bene prouided. 13. El. 13.

A restrainte of bringing corne into this Realme.

9 ¶ Whosoever shall bring into any port, or place of this realme, any Wheate, Rie, or Barly, which is not growing within y^e Queenes dominions, at any time when the quarter of Wheate doth not exceede the price of vi. s. viii. d. the quarter of Rie iii. s. the quarter of Barley iii. s. within the port or place, where such grayne shalbe brought, shall forfeit the said graine to the Q. & him that wil seise the same. But this act extendeth not to any Wheate, Rie or Barley, taken by any of the Queenes liege people vpon y^e sea, without fraud or couin. 3. Ed. 4. 2.

He that buyeth corne for chage of his seepe must bring in as much to the same market.

10 ¶ If any person hauing sufficient corne for the prouision of his house and sowing of his ground for one yeere, doth buy any corne in any faire or market, for the change of his seepe, and doth not bring to the same faire or market, the same day, so much corne as he shal buy for his seepe, and sell it (if he can) as the price of corne then goeth in the sayde faire or market, Then euery such person so buying corne for seepe,

seede, shall forfeite double the value of the corne so bought, to the Q. and J. &c. to bee recovered by A. J. &c. wherein no W. &c. E. J. &c. 5. Ed. 6. 14. 13. El. 25. For the custome of corne transported. See Custome. 4.

Corpus cum causa.

If a Corpus cum causa, or Certiorari, bee awarded to remove the bodie of any person which is condemned in any of the Queenes Courtes, and the cause into the Chauncerie, the prisoner shall bee remanded continually to remaine in prison without being let to bayle or mainprise, untill hee hath agreed with the plaintife for the summe adiudged. 1. R. 2. 12. H. 5. 2.

2 ¶ He that sueth to defeate an execution vpon a statute staple, & thereupon commeth into the Chauncerie by Corpus cum causa, and there hath a Scire fac. against the partie, vpon that defeisance or such like, he shall finde suertie aswell to the Queene, as to the partie severally, to yeeld his body, or pay the money, if the matters comprised in the Scire fac. be not found or adiudged for him. 11. H. 6. 10.

Corporations, Maiors, and head officers of the same.

No masters, wardens, and felowships of Craftes or mysteries, nor any of them, nor any rulers of gylde or fraternities, shall take vpon them to make any actes or ordinances, ne to execute any by them heretofore made, in disheriting or diminution of th prerogative of the Queene, nor of other, nor against the common profit of the people, but if the same actes or ordinances bee examined and approved by the Chauncelloz, Treasor of Englands, or chiefe Justice of cyther benches or thre of them, or before both the Justices of Assise in their circuites or progresse, in the shire where such acts or ordinances be made, vpon payne of forf. of xl. li. for every time that they do the contrary. 19. H. 7. 7.

No new ordinances without consent of the Chauncelloz or Justices

2 ¶ None of the same bodie corporate, shall make any actes or ordinances to restrayne any person to sue to the Queene, or to any of her Courtes, for due remedie to be had in their causes, ne put ne execute any penaltie or punishment vpon any of them, for any such suite made, vpon payne of forfeiture of xl. li. for every time that they doe the contrary. 19. H. 7. 7.

No ordinance to restraine suite in the Queenes court.

3 ¶ No masters, wardens, or felowshippes of Craftes, nor any of them, nor any rulers of fraternities, guildes or brotherheads, shall compell or cause any prentise or iourneyman by othe or band, or otherwise, that he after his apprenticeship or terme expired, shall not set vp, nor keepe any shoppe, house, or celler, nor occupie as a freeman, with-

None shall be restrained to keepe shop.

out

Corporations, Maiors, & head officers, &c.

out licence of the master, wardens or fellowship of his occupation, for and concerning the same, vpon paine to forfeit. for euery time that they or any of them shall offende contrary to this Act, xl. li. to the D. and J. &c. to be recovered by A. J. &c. wherein no E. P. &c. 28. H. 8. 5.

The fees for
entry of ap-
prentice and
freeman.

4 ¶ No Master, Wardens, or fellowships of Craftes, nor any of them, nor any rulers of fraternities &c. shall take of any apprentice or other person, for the entrie of any prentice into their sayde fellowships aboue the summe of ii. s. vi. d. nor for his entrie when his peeres and terme is expired, aboue iii. s. iiii. d. vpon payne to forfeit. for euery time that they or any of them shall offende contrary to this Acte, xl. li. to the D. and J. &c. to be recovered by A. J. &c. wherein no P. E. &c. 22. H. 8. 4. 28. H. 8. 5.

In corporati-
ons none shall
haue a nega-
tiue voyce.

5 ¶ All and euery peculiar Act, order, rule and estatute heretofore made, or hereafter to bee made by any founder, or founders of any Hospital, Colledge, Deanry or other corporation at or vpon the foundation of the same, whereby the graunt, lease, gift, or election of the gouernour or ruler of such Hospital, Colledge, Deanry, or other corporation, with the assent of the moze part of such of the same Hospitall, &c. as haue or shall haue voyce of assent to the same, at the time of such graunt, lease, gift, or election to be made, should be in any wise hindered or let by any one or moze being the lesser number of such corporation, contrary to the course of the common lawe of this Realme, shall be clearely voyde. And all othes heretofore taken (vz. before the sayd statute made) by any person of such Hospitall, Colledge, Deanrie, and other corporation, shall be for and concerning the obseruance of any such order, estatute, or rule, deemed voyde. And no person of any such Hospitall, Colledge, Deanrie or other corporation, shall be in any wise compelled to take any othe for the obseruing of any such order, estate or rule, vpon the payne of euery person giuing such othe, to forfeit for euery time so offending v. li. to the D. and J. &c. to be recovered by A. J. &c. wherein no W. &c. E. P. &c. or other dilatorie plea shalbe allowed. 33. H. 8. 27.

Officers shal
set vp tables
of all dueties.

6 ¶ All and singular officers of euery Citie, Borough or Towne where any Custome, Colle, dueties or summes of money shall be demanded of any Alien borne made denizen, shall set vp or cause to be set vp in open place & places of euery such Citie, Borough or town, a table or tables by which the certaintie and very duetie of euery such custome &c. of wares to be demanded, may plainly appeare, to the intent that nothing bee exacted otherwise then in olde time hath bene vsed, vpon paine that euery Citie not doing the same, shall lose v. li. and euery town corporate xl. s. for euery moneth the same table shall faile to

to be set vp, to the D. and J. to be recovered by A. J. &c. wherein no W. The tables in London touching Scavage. &c. E. P. &c. Provided that the table set vp in London, touching Scavage within the same, shalbe first viewed, examined & approued by the Chauncelloz and Treasor of England, the President of the Queenes Counsell, the Lord priue seale, the Lord Stewarde of the Queenes housholde, and the two chiefe Iustices, &c. for the time being, or by foure of them at the least, and by them subscribed. 22. H. 8. 8. S. Aliens. 3.

7 ¶ If any conspiracie, couenant or promise be made by any societie, brotherhood, or company of any craft or mystery of the Butchers, Butchers, Bakers, Pulters, Cookes, Costermongers, or Fruterers, that they shall not sell their vitailles but at certaine prices, with the presence or consent of the more part of them, the immediately vpon such conspiracie &c. beside y^e particular punishment appointed to y^e offender, their corporatiō shalbe dissolved to al intents. 2. E. 6. 15. S. Artificers 1. Compacts made by viltailers.

8 ¶ Maiors, Shirifes, and Baylifes of Cities, Boroughes and Townes corporate, in their courts shall and may inquire, heare & determine all offences committed within the limits of their iurisdiction, contrary to the statute provided. 1. & 2. H. 8. for the reformation of excesse in apparell. And where any forf. shalbe found within the precincte of any Cite, Borough, or Towne corporate, the Maioz, Shirifes and Baylifes of the same shall haue the one halfe, and he that will sue in any court of record the other. And euery Maioz, Baylife, &c. hath authoritie vpon the conuiction of euery such offender, to award proces to the Shirife of any shire for the apprehension of him, which being apprehended, shalbe committed by the said Shirife to y^e Gaole, there to remayne, vntill he hath payd the forsaite wherein hee is conuicted. 1. & 2. H. 8. 2. S. Apparell. 17. 18. What offences officers of townes corporate may heare and determine. Apparell.

9 ¶ The Aldermen in their wardes may inquire of all offences & forf. committed contrary to the statute provided. 24. H. 8. for the reformation of excesse in apparell, and to asseesse fines vpon the offenders according to the said statute. 24. H. 8. 13. S. Apparell. 1. &c. Apparell.

10 ¶ Maiors, Shirifes and bailifes of cities and boroughes, haue power to enquire within the same, of all false makers of arrowheads, and Quarels, and to punish them according to the statute in that case provided. 7. H. 4. 7. S. Arrowheads. 1. Arrowheads.

11 ¶ Maiors and Bailifes at their Courts haue authority to inquire, heare, and determine all and singular offences committed by viltailers, artificers, workemen, and labourers against the statute for the provided. 2. E. 6. and to punish the offenders according to the tenour of the same stat. 2. E. 6. 15. S. Artificers. 1. Artificers.

Corporations, &c.

The prices of
ale and beere.

12 ¶ In euery citie, borough and towne, where there be Maiors, Shirifes or head Officers, they haue authoritie to name and sesse the prices of euery Barrell, Kilderkin, and Firkin of Ale and Beere, & the ale and beere buyers shal not sel their ale and beere at higher prices, then shalbe assessed vnto them. 23. H. 8. 4. S. Bruers. 2.

Souldiers.

13 ¶ Maiors, Bailifes, & other head officers of the port or place where any souldier shall arriue (which hauing mustred and receyued the Queenes wages, doeth depart fro his Captaine within his terme without licence) haue auctoritie to arrest and keepe the same souldier vntill further inquirie (according to the order of the lawe) be made of his offence. 18. H. 6. 19. S. Captaines. 3.

Barrels and
Kilderkins.

14 ¶ The prices of all Barrels, Kilderkins, Firkins, & other vessels to be solde for ale, beere, or sope, to be vttered therein, shalbe taxed by Maiors, Bailifes, and other head Officers of euery Citie, and Towne corporate, where any such vessels shalbe made or offered to be sold. 8. El. 9. S. Cowpers. 1.

Marking of
vessels.

15 ¶ The Maiors, Shirifes, Bailifes, Constables & other head Officers in such cities, boroughs and townes, wherein no wardens of Cowpers be, haue authoritie to search, view, & gauge all barrels, kilderkins, firkins, & other vessels, that they be made & marked sufficiently, & containe the true and lawfull rates and measures, & to marke euery vessell bearing y true content. And to take for searching & gauging of euery such vessel, q. And they may retaine y vessel vntill they be satisfied thereof. And if they finde any vessel defectiue, not bearing the true contents, they may retaine y same, & cause it to be marked & amended or els to be burned. And the same authoritie haue the Wardens of Cowpers within London, taking w them an Officer of the Maiors, to search & marke all vessels within London, the suburbs, and ii. miles compasse of the Suburbs. 23. H. 8. 4. S. Cowpers. 2.

Vessels of
Salmon, Herr-
ring, & Eeles.

16 ¶ Al Maiors, Bailifes, and gouernours of cities, boroughs, townes, markets, and all other places of this Realme, where there be Maiors, bailifes or gouernours, haue authoritie to name and chuse discrete & expert person or persons, daily to search & gauge al vessels of Salmon, Herring, & Eeles, that they be faithfull packed, and keepe their measure, and assise. 22. Ed. 4. 2. 11. H. 7. 23. S. Fish. 8. 9. 10. 11.

Cappes.

17 ¶ The Maiors, Shirifs, & bailifs of cities, boroughs, & townes corporate in their courts shal and may inquire, heare & determine, al & euery the offences committed contrary to the stat. provided 13. El. for the continuance of making of caps within the limites of their iurisdiccions, & where any forf. shalbe found within y precinct of any citie, borough, or towne corporate, then the Maiors, Shirifs, bailifs shal haue the

the moitie thereof, and the other moitie shalbe distributed at the chiefe Rulers discretions, amongst the poore of the same citie, borough or towne corporate, where y^e trespass shalbe found. 13. El. 19. S. Hats. 1. 2.

18 ¶ It is lawfull to the Master and Wardens of the Company of Haberdashers within London, calling to them one of the Company of Cappers, and another of the makers of Hats, as often as neede shal require, within y^e said Citie, or iii. miles compas of the same, to search all Cappers and makers of hattes and the offendours, and defaultes by them found, to correct and punish, as in like cases they do other offendours and defaultes within the sayde Company. And it is lawfull to al Maiors, Bailifes, and other head Officers in all other Cities and Townes corporate, to doe the like. 8. El. 11. S. Hats. 4.

Cappers.
Hatters.

19 ¶ For y^e aucthoritie & duetie of euer y^e Maior, Bailife, or other head Officer of any citie, borough or towne corporate, concerning the wages, order, direction, and reformation of Laborers, Artificers, servants & apprentices, within the limits of their Iurisdiction, by force of the statute therfore provided. 5. El. 4. S. Labourers. &c. and Iustices of peace. 66. 67. 68. And all amercements, fines, issues, & forf. which shall grow by reason of any offences mencioned in the said stat. or any branch thereof, within any Citie or towne corporate, shalbe leuied & receiued by such persons of the same citie or towne, as shalbe appointed by the Maior or other head Officer thereof, to the vse or maintenance of the same citie or towne, in such case as other amercements, issues, &c. haue bene vsed to be leuyed and imployed within the same by reason of any graunt or Charter from the Queene or of any her Progenitors granted to the same citie or towne. 5. El. 4.

Labourers
servants.

20 ¶ The Maior of London within the sayde citie, & within iii. miles compasse thereof, & al other Maiors, Bailifs, and other head Officers of Cities, Boroughs, and Townes within their seuerall iurisdiccions, shall inquire, heare & determine all offences committed contrary to the Statute provided 5. Eliz. touching Tanners, Curriers, Shomakers, and other artificers occuppying the cutting of Lether, and also shall by their discretions, examine al persons suspected to offend the sayde act, or any parcel thereof, and the third part of all penalties of summes of money forf. by the sayd act, in any Citie, borough, or towne, shal go to the said citie, borough or towne, where the offence shalbe committed. 5. El. 8. S. Lether.

Tanners.

21 ¶ The Maior, Sherife, Bailife, or other chiefe Officer of euer y^e Citie, Borough, Towne and port within this Realme, hauing power to heare and determine personall pleas in the Court holden before them or any of them, within any such Citie, Towne, &c. haue authoritie

Lineries, Res
tainors.

Corporations, &c.

authoritie to receiue information of any persons, which shal giue any liuery or Badge, or retaine any other then his mental seruant, officer, or learned man in the one lawe or other, by writing, othe or promise, and of any person which shalbe so retayned, & to heare and determine aswell by examination, as by tryall, all things done concerning the same, by or to the inhabitants within the iurisdiction of the same Court. And to put the statute for those offences prouided, in execution, and the Queene shall haue the one moitie of all penalties forf. by the sayd statute. And the Informer, and chiefe Officer of such citie, borough &c. shal haue the other, equally to be deuided betwixt them. And the sayd chiefe Officers part, shalbe imployed to the vse of the sayde Citie, Borough &c. 8, Ed. 4. 2. S. Liueries. 5.

Preachers.

22 **A**ll & singular Maiors, Bailifs, and Iustices of peace within any Citie, Borough or Towne corporate, in any partes within this Realme, within the limittes of their Commission, haue aucthoritie to enquire of all Offendors agaynst Preachers and other Ministers of the Church, and to heare and determine the same, and to set fines and amercements of the sayd offendors, as in the statute therfore prouided is limited, 1. H. 3. S. Preachers. 1. 2.

Unlawfull games.

23 **A**ll Maiors, Bailifes, Shirifes, and other head Officers shall cause the statute prouided against unlawfull games, and for the maintenance of Artillerie, to be openly proclaymed once euery quarter of a peere in euery market, holden within their seuerall iurisdictiones. 33. H. 8. 9.

Maintenance of the Naup.

24 **M**aiors, Shirifes, Bailifs, & other head officers in cities & townes corporate, in their Courts within the limits of their aucthorities, haue power to enquire, heare & determine all and singular offences done in the land, or within any hauen or peere, contrary to the statute made. 5. Eliz. (touching certaine politique constitutions for the maintenance of the Naup,) and if any person shalbe presented before them, within the limits of their aucthoritie or any information giuen to them of any offendor of the sayd Acte: Then they haue aucthoritie thereupon to make proces against y^e offendor as is comonly vsed vpon indictmētts of Trespas, and if any be presented & afterward conuicted by cōfession or otherwise, then he shal suffer no lesse forf. or punishmēt then in y^e sayde Act is limited, for the leuying of which forf. the sayde Maiors & other head Officers, within the limits of their aucthorities, haue power to make such proces, as they shall thinke good by their discretions: But the information at the parties suite shalbe within halfe a peere, & the information or presentment at the Queenes suite, shall be within one peere after the offence committed, or else the same shall

shall

shall not be of effect to put the partie to answere or losse. 5. El. 5. See Fish dayes, Hempe and Flaxe. 2. Ships. 1. 2. 3. 4. 5.

25 **¶** Maiors, sherifs, and bailifs of cities, haue authoritie to inquire, heare and determine of all and singular offences committed contrary to the stat. provided. 37. H. 8. against Usury. 13. El. 8. S. Usury.

26 **¶** All Maiors, shirifs, bailifs and other head officers of cities, boroughs, & townes corporate, within the limites of their commissions, aswel within franchise as without, haue authoritie to examine, heare, inquire and determine the defaults of such as shal attempt to sel any wines in grosse or by retaile, contrary to the statute provided. 28. H. 8. and to punish the offenders, by imprisonment or otherwise by their discretions. 28. H. 8. 14. S. Wines. 1. 2.

27 **¶** Maiors, shirifs, bailifs, or chiefe gouernors of such cities or townes, where any Carracke, galley or ship shal come to safe port, of any marchant strangers, their factors, attorneys, or seruantes, shall search, or suruey the bowstaues brought, sent, or conueyed into this Realme by the said marchants &c. And shal assigne two expert men to search the said staues, which two men shalbe sworn by y^e said Maior &c. that they shal truely and indifferently marke the staues that be not good and sufficient, that al the Queenes people may haue knowledge of them. 12. Ed. 4. 2. 13. El. 14. S. Bowes. 1.

Searching
and marking
of bowstaues

28 **¶** Maiors and bailifs of cities and boroughs within the same cities and boroughs, haue power to make execution of the statute of Northampton, provided. 2. Ed. 3. against those which shal goe or ride armed. 2. Ed. 3. 4. 20. R. 2. 1. S. Armour. 10.

Riding armed

29 **¶** No great man or any other by strength or threates shall disturb or hinder free election to be made. West. 1. 3. E. 1. 5. But when any dignitie is voyde, they which haue the election, shall freely without threats of any secular power, intreatie or oppression, proceede to their election. Artic. Cleri. 9. Ed. 2. 14.

Free election.

1 That the Maior & chiefe officers of cities and corporat towns, which may keepe sessions as Iustices of peace, may commit to prison any person vehemently suspected of any of the offences of speaking &c. false newes against the Queene, inquire of the offences, & endite the offenders. S. Newes. 11.

Newes.

2 What Maiors or other head Officers shall or may doe for the placing, prouision, reliefe, reforming, or punishing of poore persons within the limites of their authoritie. S. Poore people &c. And what for the punishment of vagabondes and sturdy beggars. See Vagabonds &c.

Poore people.

Vagabonds.

3 For the authoritie of Maiors, and other head Officers, concer-

Unlawfull
games.

Corporations, &c.

ning the restraining of vnlawfull games within their iurisdiction, & the punishment of the offenders. S. Playes. &c. 5, 6.

Private offences.

4 Where any Corporation or Company, or the head Officers of the same, shall make forfait or be punished for any particular persons offence. S. Lether, 26. 30. Drapery, 35. 46. Gold. 12.

Mortmaine.

5 That it is Mortmaine for the chiefe Officer of a corporat town, to purchase any land to the vse of the corporation. S. Mortmaine, 4.

Searchers of Lether.

6 That the Maiors and other head Officers shall appoynt expert men, to searh and seale Lether. S. Lether, 22. 23. 25.

Cloth serched.

7 That Maiors and head Officers of corporate Townes, shal appoint certaine to searh and seale cloth. S. Drapery. 33. 34.

Faultie cloth.

8 How the chiefe Officer of any citie or towne, shall vse faultie cloth presented vnto him. S. Drapery. 31.

Gunnes.

9 That a Maior or head Officer shall receiue the names of those which shoote in Gunnes, and cause them to be recorded, See Gunnes, 11.

Physicians.

10 By what name the Physicians in London bee incorporate, what Priuiledges they haue, & what they may do, & that all Maiors and other Officers shall assist them. S. Physicians, 1. 4. 5. 7. 10.

Fustians.

11 That the Maior & Wardens of the Sheremen of Londō may searh the workmanship of Fustians and Clothes. S. Fustians. 1.

Goldsmiths.

12 What the wardens of Goldsmithes shall forfeyte, if any worke by them touched and allowed for good, be after found deceitfull. S. Golde, 12.

Oyle.

13 That the Maior or chiefe Officer of any Citie & Towne, may searh all oyles brought into the same to be sold, destroy that which is faultie, and punish the offenders. S. Oyle, 1. 2.

Couerlets.

14 That the wardens and searhers of Couerlets within Yorke, may searh in all Faieres, from Trent Northwarde, for all Couerlets made within the countie of Yorke. S. Couerlets, 3.

Hats, Couerlets, Dornikes

15 That the Maior, Recorder &c, of Norwich, shall admit those which shall make hats, couerlets, and dornikes within the Countie of Norf. and take nothing therefore. S. Couerlets, 5. Hats, 3.

Pewter, brasse

16 That the head Officers of corporate townes, may appoint expert men to searh vessell of Pewter & Brasse. S. Pewterers. 5. 6. 7.

Apparel.

17 What apparel Maiestrates in corporate Townes may weare. S. Apparell, 16. 17.

A common officer no customer.

18 That a common Officer in a corporate Towne, shall be no Customer. S. Custome. 20.

Caters.

19 That the head Officers of Cities and Townes, shall arrest the Caters of Noble men and others, which take any thing from any man,

man, without the owners good will, S. Purueiors 1.

20 That head Officers of cities and corporate townes may inquire of the offences prohibited by the statute made for the vniformitie of common prayer. S. Sacraments. 7. Vniformity of
comon prayer.

21 How Riots, Routs, & Assemblies made in Cities & corporate Townes, which haue Iustices of peace, shall be inquired of & repressed, S. Riots. 13. Riots, Routs,
&c.

22 For all the duetie of Maiors and other head Officers of cities and townes corporate, concerning the executing of the statute provided against vnlawfull and rebellious Assemblies, S. Riots, 16. 17. 20. 21. 24. 25. 26. Vnlawful
assemblies.

23 That Maiors, Bailifs &c, shalbe attendant vpon the Coroner, at the executing of an abiured person, S. Sanctuary. 4. Abturations.

24 That Maiors, Bailifs, &c, of cities and boroughes, may order, reforme and punish Vitaylers, See vitailers. 1. 4. 7. Vitailers.

25 How the prises of vitales shal be assessed when any vitailer is chosen to beare office in any corporate Towne, S. Vitales. 9. Vitales.

26 For the authoritie of the head Officers of corporate townes, in keeping, marking, viewing & examining of waights & measures, S. Waights. 7. 8. 10. 11. Waights,
Measures.

27 That the head officers of corporate Townes, shall haue the moitie of the forfaytures of those which sell wine in grosse, contrary to the prices assessed &c, S. Wines. 2. Wintners.

28 That head Officers of corporate Townes, may enter into a Marchants house which denieth to sel wine at the price assessed &c, and sell and deliuer the same, S. Wines. 4. Wines.

29 That none shall sell wines in townes corporate, but by the assignement of the head officers thereof, S. Wines 9. Wines.

30 That head officers of corporate townes haue auctoritie to assay wines, and powre out the corrupt, S. Wines. 15. Wines.

31 Where and before whome inhabitants in corporate Townes shalbe charged to appeare at musters, S. Captaines, 15. Musters.

32 That there shall bee no vnion of any Church in a corporate Towne without the assent of the Maior and comminaltie &c, S. Ecclesiast. 32. Union.

34 That no head Officer of a corporate Towne shall take Scavage, or Shewage of a Marchant for marchandises customed &c, S. Marchants. 2. Scavage.

35 For the duetie of head Officers of corporate Townes, about the electing and returning of Burgesses of the Parliament. S. Parliament. 5. 6. Parliament.

Coroners.

Abiured persō

36 That the head officers of a corporate Towne, may take out of Sanctuarie an abiured person committing felonie. S. Sanctuary. 9.

Recoveries.

37 For the force of recoveries, deedes inrolled, or releases in cer-
taine corporate Townes, S. Women. 5.

Fish.

38 That ordinances of Corporations made for the restraint of a-
ny person to take, buy, or sell Fish, shalbe voyde. S. Fish. 2 3.

Wales.

39 That corporate townes in Wales may hold pleas and deter-
mine accions, as in Englande, S. Walles. 55.

Coroners.

**Who shalbe
Coroners, and
by whom and
where they
shalbe chosen.**

ALI Coroners of Shires shall be chosen in the full Counties, by
the commons of the same Counties, of the most meete & worthe
people, which may be found in the same Counties to execute the said
Offices, and of the most sage and wise Knights which doe best know,
can, and will attend vnto the same Office, and which will lawfully at-
tach, and present the pleas of the Coron. 3. Ed. 1. 10. Alwayes sauing
to the Queene & other Lords which ought to appoynt such Coroners
their frāchises. 28. Ed. 3. 6. But no Coroner shalbe chosen, if he haue
not sufficient land in fee in the same Countie, wherof he may answere
all people. 14. Ed. 3. 8.

**Of what
things Cor-
oners shall
inquire.**

2 **I**f any Coroners be aduertised by the Queenes Bailifes, or
other honest men of the Countrey, to come to those that be slaine, sud-
denly dead or wounded, or to house breakers, or to any place where
treasure is found, they shall immediatly come, and forwith command
iiii. v. or vi. of the next Townes, that they appeare befoze them in such
a place, and whē they come, the Coroners vpon their othe shal inquire
if they did know of the man that was killed, where he was first slaine,
whether in the field, or in the house, bed, Tauerne, or in any company,
and who were there. 3. Ed. 1.

Further.

**Enquiry of
the offenders.**

3 **L**ikewise they shall inquire who were culpable, either of the
act or force, and who were present, eyther men or women, and of what
age they be, so they can speake and haue discretio: And they which be
found guiltie by Inquisition in the foresaid maner, shal be taken, deli-
uered to the Shirife and committed to the Gaole, & as many of them
as be not found guiltie shalbe attached, vntill the comming of the Ju-
stices, and their names inrolled. 3. Ed. 1.

**Men found
slaine.**

4 **I**f any man bee suddenly slaine, and founde in the fieldes or
woods, it is to be considered whether he were slaine there or not, if he
were brought thither, their steppes that brought him (if it may be) shal
be folowed, and so shall the tracke of horse and cart, &c. And also it shal
bee inquired, if he that were slaine were knowen, or vnknowen, and
where

where he lodged the night before. And if any bee founde guiltie of the death of such, immediatly the Coroners shall come to his house, and inquire what cattell he hath, and what corne in his grange, and what on the ground, and if he be a free man, what free lande he hath, & what it is worth by the yere, beside the Lord of the fees service, but the land shall remaine in the Queenes handes, untill the Lord of the fee hath made a fine for it: And when they haue inquired of all thinges, then they shall cause them to bee priced, as if they shoulde straightway bee sold, and then the body of him that is dead shalbe buried. 3. Ed. 1.

5 ¶ Moreover the Coroners shal inquire of them which be drow-
ned, suddenly slaine, or strangled, by the signe of some hurt found vpon their bodies, or some other manifest token, and shal attache the finders and all other in their companie. 3. Ed. 1.

Suddenly
slaine.

6 ¶ A Coroner ought to inquire of Treasure that is founde, who were the finders, and who are suspected thereof, which may be gathered by some mans delicate liuing, and frequēting of Tauerne, which (vpon suspicion) shalbe attached by iiii. vi. or mo pledges. 3. Ed. 1.

Treasure
troue.

7 ¶ If any be appealed of Rape, he shall be attached by iiii. or vi. pledges, if the appeale be fresh, and the signe of trueth apparant, or an open outcry leuied: But if it be without any manifest token or outcry, ii. pledges shall suffice. 3. Ed. 1.

Rape.

8 ¶ Upon appeale of Maihem, if the woundes bee mortall, they which be appealed shal forthwith be apprehended, and kept until it be knowen, whether he that is hurt shal recouer or not: if he die, they shal be retained, if he liue, they shal be attached by iiii. or vi. pledges, according to the bignes of the wounde: if it be for a maihem, then there shal be no lesse then iiii. pledges, if a small wound ii. will serue. 3. Ed. 1.

Maihem or
wounding.

9 ¶ The length, breadth, and deepenesse of all woundes, ought to be viewed, and with what weapons, and in what part of the body the partie was hurt, and also howe many woundes there be, howe many be culpable, and who gaue the wounde, all which thinges shalbe inrolled in the Coroners roll. 3. Ed. 1.

The length,
breadth & deep-
nes of woundes.

10 ¶ Horses, Boates, Carts commonly called Deodandes, whereby any person shall perish, shalbe valued & deliuered to y^e whole Towneship, which shalbe answerable therefore. 3. Ed. 1.

Deodandes.

11 ¶ Whosoever layeth handes vpon the wrecke of the Sea, shalbe attached by sufficient pledges, the price of the wrecke shalbe valued, and deliuered to the Towne to answer, &c. Officium Coronatoris. 3. Ed. 1. S. Wrecke. 2.

Wreck of Sea

12 ¶ If any Coroner be remisse in viewing of a dead body murdered or slaine, and doe not inquire of them that haue done the murder

oners shal
inquire & certifi-
fie at the gaole
deliuerie.

ther or death, of their Abbettors and Consentors, who were present thereat, and their names, or so founde doe not inroll, certifie, and deliver his inquisition to the Justices of the next Gaole deliuerie in the Shire, where the inquisition is taken, that the same Justices may proceede against such murtherers, if they be in the Gaole, or else certifie the inquisition into the Kings Bench, the sayde Coroner shall forfeite to the Queene for euery offence. v. li. 3. H. 7. 1.

Enquiry of
escape of the
murderer.

13 ¶ The Coroner vpon the view of the dead body, may enquire of the escape of the murtherer, for if he do the murther in the day and escape, the Towne shalbe amerced. 3. H. 7. 1.

Recording evi-
dence and bind-
ing parties
to giue it at
the gaole deli-
uery.

14 ¶ Euery Coroner vpon any Inquisition before him founde, wherby any person shalbe indicted for murther or manslaughter, or as accessary to the same before the murther or manslaughter committed, shall put in wryting the effect of the evidence giue to the Iurie before him, being materiall. And he hath auctoritie to bind al such by recognisance or obligation, as to declare any thing materiall to prooue the said murder or manslaughter, or to be accessary to the same, to appeare at the next generall Gaole deliuerie to be holden within the Countie, Citie, or Towne corporate, where the trial thereof shalbe, then & there to giue evidence against the partie so indicted at the time of his trial, and shall certifie aswell the same evidence, as such bondes in wryting which he shal take, together with the inquisition or indictment before him taken and found, at or before the time of his said trial to be made. And if any Coroner shall offend in any thing to the contrary, then the Justices of Gaole deliuerie of the shire, citie, towne, or place where such offence shalbe committed, vpon due prooofe thereof by examination before them, shall for euery such offence, set such fine on such Coroner, as they shall thinke meete. 1. & 2. H. 7. 13.

A Coroner
shall come to
take abiura-
tion.

15 ¶ If the Coroner of the shire or place, where any person shall take any refuge or Sanctuarie in any Churches, or Churchyardes, Cathedrall Church, Hospitals, Churches collegiat, Chappels dedicat, commonly vsed as Parish Churches, or any cemeteries to any of them belonging, vpon reasonable request made, doe refuse to come in conuenient time, vnto such person being in Sanctuarie, there to take his confession and abiuration, according to the lawes of this Realme, then the sayd Coroner for euery such default shall forfeite C. s. to the Queene. 32. H. 8. 12. S. Sanctuarie. 3. 4.

No fee where
any person is
slaine by mis-
aduenture.

16 ¶ A Coroner, which vpon request to him made, to come and inquire vpon the view of any person slaine, drowned, or otherwise dead by misaduenture, doeth not his Office diligently vpon the viewe of such body, without any thing therfore taking, shal forfeit xl. s. 3. C.

1.10.1.11.8.7. But a Coroner shall haue for his fee vpon every inquisition taken vpon the viewe of a body slayne xiii.s.iiii.d. of the goods and cattels of the murderer, if he haue any: and if he haue no goods, the Coroner shall haue his fee of such amercements, as any Township shall be amerced for escape of such murder. 3.11.7.1.

The Coroners fee where any person is murdered.

17 ¶ The Sherife shall haue counter rolles with the Coroner, as well of Appeales of Enquests, as of attachements, & other things which do belong to this office. West. 1.3. Ed. 1.10. But no Sherife, Constable, Eschetour, Coroner, or any other Bailife of the Queenes, shall holde pleas of the Crowne, Magna Charta. 9.11.3.17.

The Sherife shall haue counter rolles with the Coroner.

18 ¶ Upon an inquisition to be made by the Coroner of the death of a man, euery one of the age of xii. yeeres, ought to appeare, except they haue a reasonable excuse of their absence. Marleb. 52. 11.3.24.

Who ought to appeare vpon an inquisition of a mans death

19 ¶ If the death of a man (where the Coroners office is to make view & enquest) doeth chaunce in any Countie where the Queenes house is, and within the verge, the Coroner of the same County shall be commaunded with the Coroner of the Queenes house, to execute his office, and to inroll it. And that thing which cannot bee determined before the Steward, shall be remitted to the common lawe, so that exigents, outlawries, and presentments shall bee thereupon made to the Iustices in their circuites, by the Coroner of the Countie, as well as of other felonies done out of the verge. 28. Ed. 1.3. But all Inquisitions vpon the view of persons slaine within any of the Queenes palaces or houses, or any other house, at such time as her Maiestie shall be abiding in her royall person, shall be taken by the Coroner of the household of the Queene, or her heires, without adioyning of any other Coroner of any shire, by the othes of xii. or more of the peomen officers of the Queenes &c. household, returned by y^e two Clerks Comptrollers, the Clerke of the Cheeke, Clerkes Marshall, or one of them for the time being, of the foresayd household, to whome the sayd Coroner shall direct his precept, which Coroner &c. shall be assigned by the Lord Steward for the time being. And the sayde Coroner shall from time to time for euer without delay certifie vnder his Seale, and the seales of such persons as shall be so sworne before him, all such inquisitions, indictmentes, and offices vpon the viewe of all dead bodies which shall be slayne within any of the Queenes palaces or houses, or other house aforesayde before the sayde Lord Steward, and in his absence, before the Treasorer, Comptroller and Steward of the Marshalsey, or before two of them, whereof the said Steward of the Marshalsey to be one, and such inquisitions and offices so certified, shall be taken as good to all intents, as any inquisition taken vpon the viewe

Enquire within the Verge.

Enquire within y^e Queenes house.

Cofinage. Couverlets.

of the body of any person being dead, by any Coroner of any Countie of this Realme hath bene, or shalbe adiudged. 33. H. 8. 12. 27. H. 8. 24. 32. H. 8. 20. S. Fighting. 1.

Coroners of
Cheshire.

20 ¶ Two head Coroners for the body of the shire of Cheshire shalbe elected by vertue of the Queenes writ de Coronatore eligendo, to be awarded out of the Eschequer at Chester, which Coroners shalbe bound to sit with the sherife at the shire Courts, to giue iudgements vpon outlawries, and to do all other things that appertaineth. 33. H. 8. 13.

1 What euerie Coroner which shall be absent from the assessing of the wages of the knights of the shire, shall forfeit, S. Parliament. 12.

2 What Coroners shall forfeite if they doe conceale, or will not arrest felons when they may. S. Felonie. 34.

3 Where the Coroners shall impanell any Iurie, of what sufficiency the Iurors shalbe, what Issues they shal returne vpon them, and vpon what payne. S. Riots. 7.

4 That there shall be two Coroners in euerie of the 12. shires in Wales, how they shalbe chosen: their office & duteie. S. Wales. 52.

Cofinage.

¶ A writs of Cofinage Aiel & Befail, the which be of the same nature that an assise of Mordauncestor is, the same answere shalbe allowed for the tenant, that the Iustices did allow him at the Common law in assise of Mordauncestor, viz. that the plaintife is not next heire of the Auncestor, by whose death the land is demanded, & that shalbe inquired of by the assise, and according to the Inquisition iudgement shall be giuen. West. 2. 13. Ed. 1. 20.

Couverlets.

Sale of Couverlets in
Worcestershire.

¶ No person dwelling within the Countie of Worke, or nigh vnto the same, shal make any Couverlets or Couverings to put to sale, vnlesse such person be inhabiting within the Citie of Worke, or within the suburbs of the same, vpon payne of forfeiture of the same, or the value thereof. 34. H. 8. 10.

No Couverlet
maker in
Worcestershire shal
go abroade.

2 ¶ No person of the occupation of the handicraftes men of Couverlet makers dwelling within the sayde Citie of Worke, or the suburbs of the same, or else where within the sayd Countie, shal vse the craft of hauking abroad in the countrey to villages and mens houses, or go as haukers, or put to sale any Couverlets in any other place, out of the sayd Citie and liberties thereof, but onely in the open markets and faires, vpon payne of forfeiture of the same couverlets, or the value thereof. 34. H. 8. 10.

3 ¶ The wardens and searchers of the occupation of Couerlet makers within Yorke, and their successours, haue power to make search in all fayres and markets from Trent Northward within this Realme, for all such Couerlets as shalbe be put to sale not being well wrought, and made of sufficient stufte, or not contayning the assise accustomed (viz. the best sort ought to containe in length iii. yardes, and in bzeadth ii. yardes and a quarter: the second sort should containe in length iii. yardes, and in bzedth ii. yardes: And the lowest or third sort should containe two yards and a halfe in length, and in bzedth one yarde and three quarters.) And to seise and take the same as forfeited. 34. H. 8. 10.

The wardens shall make serch for all Couerlets not well wrought or wanting lawful assise. The assise of Couerlets.

4 ¶ But it shall be lawfull to euery person dwelling within the Countie of Yorke, to make Couerlets of what assise or stufte they will, for their owne vse, or store of their householdes, or for their Lordes to whom they be tenants, so that the same shall not be put to sale. 34. Hen. 8. 10.

Making of couerlets for their owne or Lordes vse.

5 ¶ Whosoever doeth weaue any Couerlets, or Doznicks, or occupy the misterie thereof, within the citie of Norwich or Countie of Norff, vnlesse he be admitted so to doe, by the Maior, Recorder, Steward, and two Iustices of the sayd citie, or foure of them, or hath bene apprentice to the sayd occupation of Couerlets, or Doznickes making, which he doeth occupie by the space of seuen peeres, or doth make any Couerlets or Doznicks, or doeth occupy any of the sayde mysteries in any place out of the city of Norwich in the Countie of Norff. but onely in a corporate or market towne, and in Welham, shall forfeit iii. s. iiii. d. for euery Couerlet, and vi. s. viii. d. for sixe yardes of Doznicks made to the contrary, And the Maior, Recorder, Steward, and Iustice which takech any thing to admit any man to occupie, shall forfeit for euery offence v. li. 5. Ed. 6. 24.

Couerlets and Doznicks in Norwich.

Counterfaite letters and tokens.

W Hosoever shal falsely and deceitfully, get into his possession any money, goods, or other thinges of any other persons, by colour of a priuy token, or counterfait letter, made in any other mans name, and that be proued by confession, or examination of witnesse, taken before the Lord Chancelor, the Queenes counsell in y^e Starre Chamber, the Iustices of assise in their circuites, the Iustices of peace in their generall Sessions, the Iustices of any citie or towne corporate, or by accion in any of the Queenes Courtes of record: shall haue such correction by imprisonment of his body, setting vpon the pillory, or otherwise by any corporal paine (except death) as shalbe vnto him adiudged,

Cowpers. Counties or shire court.

adjudged, by the persons before whom he shall be convicted, & besides the partie grieved shall haue such remedie by action or otherwise for the same money, goods &c. as he might haue had, if this act had neuer bene made. 33. H. 8. 1. S. Iustice of peace. 54.

Cowpers.

Justices and head officers may set prices of vessels.

If any Cowper doe sell any Barrells, kilderkins, firkins, or other vessels, for Ale, Beere, or Soper to be vttered therein, aboue such prices which shalbe assessed by the Justices of the peace of the shire in their Sessions, or by the Mayor, Bayliffe &c. of the citie, borough or towne corporate, where the sayd vessels shalbe made or offered to bee solde after proclamation thereof made, he shal forfeit for euery vessell sold at a greater price, iii. s. iii. d. to the D. and J. to bee recouered by A. J. &c. wherein no W. &c. E. P. &c. 8. El. 9.

The contents of Ale & Beere vessels.

2 Every Cowper shall make his vessels for Beere and Ale, of good and seasonable wood, and shall make a Beere barrell to containe xxxvi. gallons, a kilderkin for Beere, xviii. a firkin for Beere, ix. a barrell for Ale, xxxii. a kilderkin for Ale, xvi. a firkin for Ale, viii. gallons, of the Queenes Standard, or els he shal forfeit for euery vessell so not made, xii. d. to the D. and J. to be recouered by A. J. &c. wherein no W. &c. E. P. &c. And no Cowper shall make any vessell for Beere or Ale, to be solde, of any greater or lesser number of gallons then is aforesayd, vnlesse he shal cause to be marked vpon euery such vessell the certaine number of as many gallons as it shall containe, that euery person may know the content. And if he marke not his vessell with his owne marke, he shal forfeit iii. s. iii. d. 23. H. 8. 4.

Diminishing of vessels.

3 Whosoever doth diminish any barrell, kilderkin, or firkin, to the deceit of any other, by taking out the head, or any staffe from such vessell, shall forfeit iii. s. iii. d. be punished at the discretion of the head officer, before whom the default shalbe presented, and the vessell shalbe burned. 23. H. 8. 4.

1 That no Ale or Beere bruer shal occupie the mysterie of Cowpers, S. Bruers. 1.

Countie or shire court.

County courts shall be kept monethly.

NO countie court shalbe longer deferred, but from one moneth to another, & the said court shalbe kept euery moneth, & none otherwise. 2. Ed. 6. 25. And in like sort shal the Countie courtes in the xii. shires in Wales, and in the countie of Donmouth, be kept. 34. H. 8.

In what towne the shire Courtes of severall shires shalbe kept.

2 The sherife of the countie of Northumberland shall keepe the Countie court of that shire in the towne and Castle of Alnewicke and in none other place. 2. Ed. 6. 25. The shire court for the shire of Sussex, shall be kept one time at Chichester, and another time at Lewes, alternis

alternis vicibus for ever. And if any shire court bee holden to the contrary, all things therein done shall be voyd. 19. H. 7. 24. The Sherife of the Countie of Chester is bounde to keepe his shire court in the shire hall of the sayd countie. 33. Hen. 8. 13. And the shirifes shire Courtes in Wales of the Countie of Brecknock, shall bee holden at Brecknoke, Of Radnor, at new Radnor, and Preston, Of Mountgomery at Mountgomery and Maghenleth, Of Denbigh, & Denbigh, & Warrham, Of Monmouth, at Monmouth and Newport, alternis vicibus. Anno 27. H. 8. 26.

1 Within what time Sheriffes in Wales shall keepe their County courts and hundreds, & what fees they shal take therin, S. Wales. 41.

Crowes, Rookes, Choughes.

If the inhabitants of any parish, towneship, hamlet, Borough, or village, wherein there be x. householdes inhabited at the least, doe not provide a net to take Crowes, Choughs, and Rookes with all things requisite, or belonging to the same, and keepe and renue the sayde net as often as neede shall be, and with a Shype made of Chasse, or other meete thing, lay the same at such time and place as is convenient for the destruction of such Crowes, &c. they shall for x. s. to the Queene and Lord of the court, leete, lawday, or rape, where such net shalbe lacking, and not made and put in execution according to this act, to be leuied of the tenants and inhabitantes of the sayd parishe, towneship, &c. where such net shall be lacking, and not put in execution. 24. H. 8. 10. 8. El. 15.

Every towne shall haue a Crowe net.

2 The Churchwardens and vi. other parishioners by them requested, shall peereley aslesse euery person hauing the possession of any lands or tithes within their parishes, to pay such summe of money as they shall thinke meete according to the quantitie and portion of their land or tithes, which they haue or holde. And a bill indented of the summes so sessed with the forfeitures (if any be) shall be deliuered by the Churchwardens to two persons of y^e same parish, which shalbe appointed distributors of the prouision for the destruction of Crowes, and other noysom foules and vermin. And if any person doe not pay the summe of money so taxed, within xiiii. daies after request made by the Churchwardens, or one of them, he shal forfeit v. s. which (with the money taxed) shalbe leuied by distresse of the goods of such person refusing, which distres shalbe vsed in such maner as distresses taken for amerciements in any Leetes. 8. El. 15.

Money leuied for the destruction of vermin

Distributors.

3 If any of the Churchwardens, vi. persons, or ii. distributors shall refuse, or make default in execution of this act, or any part thereof,

Officers refusing to doe their duties.

of,

Crows, Rookes, Choughes.

of, he shal for .v. li. to the D. & J. (vsing tillage perely within the same shire) to be rec. by A. J. & c. wherein no W. & c. E. P. & c. 8. El. 15.

The reward of
them which
shal destroy
vermin.

4 ¶ The distributors shall pay of the money so to them deliuered, to euery person that shall bring to them iii. heads of any olde crows, choughes, pyes, or rookes, taken within their seuerall parishes. i. d. for the heads of vi. yong of any of them i. d. for euery vi. eggs of any of them vnbroken. i. d. for twelue Staues heades i. d. for euery head of Harten Hawkes, Fursekite, Goldkite, Bussard, Schagge, Carmerant, or Ringtaile, ii. d. and for euery two eggess of them i. d. for euery Iron, or Ospraves head iii. d. for the head of euery Woodwall, Pie, Jay, Rauen, or kite, i. d. for the head of euery bird called the kings fisher. i. d. for the head of euery Bulfynch or other bird that deuoureth the blouth of fruite i. d. for the head of euery Fore or Graye, xii. d. And for the head of euery Fitchewe, Polcat, weasel, Stote, faire Bate, or wildcat i. d. for the heads of euery Otter, or Hedgehogges, ii. d. for the heads of euery iii. Rattes, or xii. mice, i. d. for the heades of euery Holwarpe or Munt. ob. And besides the takers shall haue all the Crows and other vermin to their vses. 8. El. 15.

Enteing into
other mens
grounds to kill
vermin.

5 ¶ It is lawfull for euery person that will trauell for the taking of Crows and other vermin abouesayd, to enter for the same purpose, into any place therfore conuenient, with the consent of the owner or occupier of the same, and there to vse such nets, engins, & other reasonable deuises, as are meete for the taking & destruction of such vermin (handgunnes and crossebowes excepted. Anno. 8. El. 15.

Hindrance of
the breeding of
other foules.

6 ¶ This act shal not giue libertie to any person to vse any meane or engin for the destruction of crows, or other the foresaid vermin, to the let or destruction of the building or breeding of any kind of hauks, Herons, Egrets, Paupers, Swānes, or Shouelers, or of any Doves, Douehouses, Deere, or warren of Conies. 8. El. 15.

No allow-
ance for ver-
min killed in
warrēs, doue-
houses, or in
cities. &c.

7 ¶ No money shall be giuen to any person by force of this act for the head of any Bussard, Ringtaile, Iron, Polcat, Fitchewe, or Stote taken in any Parke, Warren, or ground employed to the maintenance of Conies, or for any Staues taken in Douehouses, or for the head of any kite, or Rauen killed in any Citie or Towne corporat, or within two miles of the same. 8. El. 15. 14. El. 11. to continue to the ende of the next Parliament.

Custos Rotulorum.

The lord chancellour
shal appoint
p. custos
Rotulorum.

The Chauncellor of England, or lord Keeper of the great Seale for y^e time being, shall from time to time without any bil to be assigned with the Queenes hande, name and appoynt such person to be Custos Rotulorum, within euery shire of this Realme of Englande, Wales,

Wales, and other the Queenes dominions, marches, and territories of the same, as by the discretion of the sayd Lord &c. shall be thought meete to haue and exercise the same. And the sayd person so appointed shall and may exercise and enioy the same office of Custos Rotulorum by himselfe, or by his sufficient deputie or deputies. 3. E. 6. 1.

2. ¶ But the Bishop of Dorke, of Durham, of Ely, and euery of their successors, the Chaunceloz of the Duchy of Lancaster for the time being, and euery person, corporatiō, and body corporat, which haue authoritie, by lawfull meanes, to ordeine any of the said offices of Custos Rotulorum within any place, shal and may enioy the same authoritie, according as they haue had the same, this act &c. notwithstanding. 3. E. 6. 1.

These may appoint the Custos Rotulorum

Customes, Subsidies, Customers, Comptrollers and Searchers.

A. 1. E. 1. A subsidie of Tonnage was graunted to her Maiestie during her life. That is to say, of euery tunne of wine comming into this realme by way of marchandize, iii. s. And of euery tunne of swete wine comming in by any marchant Alien, iii. s. more aboue the first iii. s. of euery Aune of renish wine brought in by any marchant xii. d. And also another subsidie of pondage was graunted, that is to say, of all goods of euery marchant Denizen and Alien, to bee caried forth or brought into this realme by way of marchandize, of the value of euery xx. s. of the same goods xii. d. And of euery xx. s. value of tinne and pewter vessell caried forth by any marchant Alien, xii. d. more beside the first twelue pence (excepting out of the sayd subsidie all wollen cloth made within England, and by euery or any marchant denizen & not bozne Alien, to be caried forth, and al woolls, woolfels, hydes, and backes of leather, to be caried forth of this realme, and all wines, fresh fish and Bestial comming into this realme.) Also an other subsidie was graunted to her grace, viz. of euery marchant denizen of and for euery sacke of wool, xxxiii. s. iiii. d. for euery C. xl. woolfels, three & thirty shillings and iiii. d. for euery last of hides & backes, iii. li. vi. s. viii. d. Of euery marchant stranger, aswell denizen as other, for euery sacke of wool iii. li. vi. s. viii. d. of euery C. xl. woolfels, iii. li. vi. s. viii. d. of euery last of hides and backes, iii. li. xiii. s. iiii. d. and so of all woollles, woolfels, hides and backes after the rate. If any marchandize aforesayd, whereof the subsidie is due to the Queenes maiestie, shall be shipped to the intent to bee carped beyonde the seas, or els bee brought from thence into any place of this Realme, and there layd on land by way of marchandise (the subsidie due for the same not payde, or the collectour of the same or his deputie, with the agreement of the

Subsidie of tonnage and pondage.

A subsidie of woollles, woolfels, leather.

Marchandize transported & the subsidie unpaid.

Customes, Subsidies, Customers &c.

the comptroller and surueyours, or one of them not agreed within the custome house) the same shall be forfeited to the Q. & to him that will seise or sue for the same. But if any goods, marchandizes, wools, woolfels, or leather, or any part thereof, of any marchant denizen naturally bozne the Queenes subiect, which shall passe out of this realme during the time of this graunt, shall happen to be taken with enemies or pirates vpon the sea, or perished by infortune in any shippe that shalbe taken or perished, whereof the subsidies due to the Q. shall be (in forme aforesayd) duely payed or agreed for, and that found and proued before the Treasorer of England, or the chiefe Baron of the Eschequer by the examination of the marchantes if they be aliue, or of their executors or administrators if they be dead, or two credible persons or other reasonable witnesses sworn, then the same marchants denizens (owners of the same goods perished or lost) if they be aliue, or their executors and administrators if they be dead, and euery of them, when them liketh, shall newly shippe as much other marchandizes &c. in the port or ports, in which the other perished were shipped, without any subsidie to be payed to the Queene. And all profitcs of the premisses so to be lost, shalbe certified by y^e Treasorer or chiefe Baron into the Chauncery, there to remaine of record: And after such certificat, the Chauncelor or Lord Keeper, shal make vnto y^e said marchants, their executors or administrators, or to their atturney in that behalfe, as many and such writs & warrants, to be directed as well to the collectors of the subsidie, or any, or euery of them, as to the Treasorer & Barons of the Eschequer shall be thought needefull, for the sayd marchants, their atturneys, or the sayd collectors or any of them, to haue for the obtaining as well of the shipping, as of the allowance thereof
1. El. 19.

Denizen ship-
ping in a Ga-
ricke or Galley
shall pay cu-
stome as an
Alien.
Custome of
sweete wines.

2 ¶ Euery marchant denizen that shall shippe any wool, woolfels, hydes, or other goods and marchandizes in any Caricke or galley, shall pay to the Queene all maner of customes, and all the foresaid subsidies, as any Alien bozne out of this realme. 1. El. 19.

3 ¶ Like Custome and subsidie shall be payed for such sweete wines which come through the straytes of Harrocke, otherwise Hallelgay, being brought from the same place, where the Halmesey is, and of the same nature of Grape, as is and hath bene accustomed to be paid for Halmeseis. 1. El. 11.

The custome
of come trans-
ported.

4 ¶ The Queene, her heires and successors, shall receiue by the Customers and officers of her portes, for the custome or pondage of euery quarter of Wheate to be transported (by force of the statute made. 13. El.) xii. d. and of euery quarter of any other grayne, eight pence.

pence. And of every quarter of Wheat that shall be by any special licence transported (and not by force of the said statute) ii. s. and of every quarter of other graine xvi. d. notwithstanding any wordes that shall be contained in any licences to the contrary, which sayde severall summes so taken as custome or pondage, shall be in full satisfaction of all manner of custome or pondage for the sayd corne and graine, by any constitution, order, statute, lawe, or custome heretofore made, used, or taken for transporting of any such manner of corne or graine. 13. El. 13. S. Corne. 7.

5 ¶ Every subject of the Queenes, that shall transport in any shippe, or other vessels, of any of the Queenes subjects with crosse sailes, any herring, or other sea fish, taken upon the seas by any of the said subjects out of any Port or Harbrough of this Realme, shall be free from payment of any custome, Subsidie, or Pondage money for the same. 5. El. 5. 13. El. 11. 27. El. 11. to continue til the end of the next parliament. S. Ships. 1.

Sea fish transported without custome.

6 ¶ Every person that shall shippe, or carry any leather, Tallow, or raw hides, beyond the sea, (other then Scottish hydes brought to Barwicke out of Scotland. 5. El. 8.) shall pay to the Queen her heirs & successors for every hide so caried by the name of a Subsidie x. s. For every dozen of calves skins, iii. s. iii. d. And for every C. pound weight of Tallow, vi. s. viii. d. And all Customers, Comptrollers, Farmours, & superuyors of Customes and subsidie shall be accomptant to the Queen &c. to pay the sayd custome and subsidie for all such goods entred and laden, upon paine to forf. the treble value, and to make fine and raunsome. 18. El. 8. 3. H. 6. 3.

The subsidie of leather, calves skins, and Tallow.

7 ¶ If any leather wrought, cut, or unwrought to the intent to be sold or bartred, shall be unlawfully transported or purposed to be transported beyond the sea out of any port, haven or creeke of this realme, or Wales, every comptroller, customer, surueiour, collector of Tonnage and Pondage, and searcher, and the deputie of any of them, or any other person hearing or knowing of any leather meant to be transported from any place within his office, and doe not his best indeuour to seise the same, or being transported do not disclose or cause to be disclosed the same, within xl. dayes next after knowledge or hearing of the same in some court of record, so as the offender may be punished according to the law, he shall for the first offence forfeit C. li. and for the second, lose his office. And every customer, officer, or his deputie, that shall make any false certificat of the ariuall of any Leather in any Port, Creeke, or place of this Realme, shall forfeit for every offence C. li. 5. El. 8.

Unlawfull leather.

Customes, Subsidies, Customers &c.

Customes of
woolles.

8 ¶ No English marchant shall pay for the custome of a sacke of wooll, but vi. s. viii. d. 14. Ed. 3. 21. No marchant Alien or Denizen shall be compelled to pay any custome for their Canuise or Corners with which their woolles be packed. 34. Ed. 3. 19.

Suerties of
strangers to
employ their
money recei-
ued &c.

9 ¶ Every Customer or Comptroller shall take sufficient su-
ertie of every marchant Alien, Vintailer, or other straunger to em-
ploy the money receiued for his marchandize, vpon the commodities
of this land, or to put the same money for the marchandize receiued
in due payment, (his reasonable expences deducted) vpon payne of
forfeiture of the value of the sayd marchandize to the R. & A. &c. 3. H.
7. 8. 17. Ed. 4. 1. S. Marchants. 9.

Silke shall
be surueyed &
measured by
the Customer.

10 ¶ If any marchant denizen, or stranger shall sell, or offer
to sell any cloth of Gold, siluer, Bowdikin, Veluet, Damask, Sat-
ten, Tartaron, Chamlet, or other cloth of silke, or any Coyle of silke
and of gold, or any coyle of silke made beyond the sea, before the col-
lectors of the subsidie of Tonnage & Bondage, and the comptroller
of the same, in the port where such marchandize is set vpon land, haue
surueyed, measured, and sealed every piece thereof, in the one end with
the seale ordeined for the same, he shall forf. the same or the value ther-
of, 12. Ed. 4. 3. And if any collector, Comptroller, or any of their Clerks
do take any thing for sealing any of the foresayd pieces, he shall forf.
for every time xx. li. And if any of them doe vnrasonably delay any
marchant about the sealing of such marchandize, he shall forfeite for
every offence xl. s. to the R. and P. griued, to be recovered by A. A.
&c. wherein no W. &c. E. P. &c. 4. H. 8. 6.

The officers
shall take no
reward nor de-
lay the mar-
chant.

Aliens made
denizens.

11 ¶ Any person made or to be made Denizen shall pay for his
marchandize like custome & subsidie inward & outward, as he should
haue paid before he was denizen. 1. H. 7. 2. 11. H. 7. 4. 22. H. 8. 8.

Englishmen
subject to o-
ther princes.

12 ¶ Every subiect bozne in Englande, and sworne to be subiect
to a foreine Prince, so long as he shall abide and be subiect to a for-
eine Prince, shall pay such customes, subsidies, tolles and other im-
positions within this realme, as other strangers of those partes where
the sayd English man maketh his habitation, vse to pay. But if after
any such person doe returne into the Realme here to inhabite, then he
shall be restored to such liberties, in paying of customes and other
charges, as other English men vse to pay, and haue writ out of the
Chauncerie for the same. 14. H. 8. 4.

Goods brought
into one port &
then remoued
to another.

13 ¶ Every marchant which shall bring any goods into any
port in this Realme, and there doeth enter the same in the Custo-
mersbookes, and pay vnto him the Queenes duetie, and will after
cary the same goods from thence, into any other Port within this
Realme,

Realme, shall bring from the Customers of the Port where the goods were entred, a certificat vnder their seales directed vnto the customers of the port whereto the goods shall be conueyed, making mention therein of the colour, length, weight, content and value of all the goods so entred, and the customer, or officer to whom such certificate shall come, shall take nothing for the sight of the same goods. And if any of the sayd goods shall be discharged, unpacked or put to sale within any port (other then the same where they shall be first entred) before the sayd certificate be deliuered, and the same goodes seene, then they shall be forf. to the Queene and him that will proue such forfature. 3. H. 7. 7. 3.

14 ¶ If a certificat be made by the Customer of any port whereunto such marchādizcs shall be first brought, & there in their bookes entred, not making mention as is aforesayd, the customer shall lose his office, and make fine to the Q. at her pleasure. 3. H. 7. 7. The Custome and subsidie of all woollen clothes to be shipped and carried ouer the sea (wheresoeuer they be packed) shall be payed to the customers of y port where any such clothes shall be laden or shipped, or to their deputies. 11. H. 7. 6.

Certificat entred into the customers bookes.

Wollē clothes packed in one port & shipped in another.

15 ¶ Every customer, or comptroller which will not write, and deliuer sufficient warrants sealed with the seale of their office, to any marchant shewing and duely customing his marchandizes in the discharge of the same (without any thing receiuing therfore) but onely the due custome, shall forf. for euery offence to the Q. x. li. and to the marchant griued v. li. for the which the sayd marchant shall haue an accion. 11. H. 6. 15.

Warrants of discharge to y marchant paying the due customes.

16 ¶ No person, denizen or stranger, shall enter into the bookes of any Customer, or other officer of any port or Hauen, or his deputie or seruant any goods, wares, or marchandizes whatsoever brought into the Queenes dominions, or to be transported forth of the same, in the name of any other person then the very true owner of the same goods, being not solde or bargayned for, by any person before such entre, or before the arriual of such goods or marchandizes into the partes beyond the sea, vpon paine of forfite of the value of the goodes so entred. 1. El. 11. 1. H. 8. 5. 14. Ed. 3. 21. And whosoever doeth cocket wolles but in the name of him whose the wolles be, shall forfite them. 13. R. 2. 9. 29.

No man shall enter goods in another mans name.

Cocketing wolles.

17 ¶ If any marchant stranger, denizen, or other the Queenes subiect, shall custome any goods or marchandizes of any other, where by the Queene shall lose her custome, Subsidie, or other right, or duetie, he shall forf. al his goods & cattels personals for euer, to the Q.

Customing of others goods whereby the Queene loseth her duetie.

Customes, Subsidies, Customers, &c.

and J. that will sue within three yeeres, to be recovered by A. J. &c. wherein no W. &c. E. P. &c. 3. H. 7. 7. 1. H. 8. 5. 2. Ed. 6. 22.

Customes of
wines.

18 ¶ If any person inheriting in the cinque ports, or other being free of prisage or butlerage of wines by graunt, custome, or otherwise, do custome the wines of any other person being not free, he shall forfeite all his goods and cattels personals to the Q. and J. that will sue within three yeeres, to be recovered by A. J. wherein no W. &c. E. P. &c. 1. H. 8. 5. 2. E. 6. 22.

Brasse Mettall
remoued from
one port to an
other.

19 ¶ If any customer, comptroller, or his deputie will suffer by couin or other vndue meanes, any person after that his Brasse, Lat-ten, Copper, Mettall &c. is shipped or carped, contrary to the meaning of the statute in that case provided, to make an obligation without date for the discharge and certificate of his mettall, then he shall lose his office, and the value of the mettall. And if any customer or Searcher doe willingly suffer any of the mettalles aforesayd to be shipped contrary to the meaning of the said act, or els hauing knowledge that it is secretly shipped, or carried, doe not seise the same to the Queenes vse, then he shall lose his office, and the value of the said mettall. 33. H. 8. 7. 2. Ed. 6. 37. S. Brasse. 3.

Common offi-
cer of a towne
shalbe no offi-
cer in the cus-
tome there.

20 ¶ If a common officer, in any Citie, borough or Towne, or his deputie do take vpon him to be Customer, comptroller or searcher in any Port in the same Citie, borough or towne, he shall forfeite for euery halfe yere that he occupieth both the said offices, x. li. to the Q. & J. &c. 3. H. 7. 7.

No customer
shall haue a
ship, vse mar-
chandize, keepe
a wharfe, an
inne, or be a
factor.

21 ¶ If a customer, comptroller of the custome, clerke, deputie, minister, Seruant, Factor, or searcher, comptroller or surueiour of searches, or any of their clerkes, deputies, ministers, or factours shall haue any ship of his owne (14. R. 2. 10.) or shall buy or sell by way or colour of marchandize, or medle with the fraighting of ships, or haue or occupie any wharfes or keyes, or keepe any Inne or Tauerne, (11. H. 4. 2.) or shalbe factour or atturney for any marchant denizen or alien, or shall be hoste to any marchant stranger, he shall forfe. for euery such offence x. li. to the Q. & J. &c. 20. H. 6. 5.

Customer con-
cealing the
Queenes cus-
tome.

22 ¶ If any customer, collector, or comptroller of the Queenes customes, of cockets, of clothes, subsidies, Tonnage or Pōdage in any place of this realme, do falsely conceale y^e Queenes custome or Subsidie duely entred & payed by any marchant, & be thereof duely attain- ted or conuicted at y^e Queenes suite, he shal forfeit the treble value of y^e marchandize so duely customed, & also pay a fine. 3. H. 6. 3. And euery customer vpon the yelding of his accompt in the Eschequer shall be swozne to answere to y^e Ducene all profits without fraude. 4. H. 4. 20.

The Custo-
mer swozne.

Which Customers may make deputies and which not

23 ¶ The customers and comptrollers in every port of England shall abide upon their offices in their proper persons, without making any deputy or Lieutenant in their names 1. H. 4. 13. And therunto they shall be sworn, and he which doeth the contrary shall forfeit. C. li. and be imprisoned, and the like summe shall a searcher, and the Lieutenant of the Queenes chiefe Butler forfeite if he doe not abide upon his office, or do make deputy. 4. H. 4. 20. But the customer of Lynne shall have a servant or deputy, continually resident at the Citie of Yorke: And every other customer, comptroller, and searcher of every port shall assigne to and in every of the portes of London, Southampton, Bristol, Westchester, Newcastle, and the suburbs of the same, and in every porte, creeke or Rode (where the servant of any of them have bene continually resident by the space of x. yeeres, or hereafter shall be) one able and sufficient deputy or servant at the least. 1. El. 11.

24 ¶ If a Customer, Comptroller, Gager of wines or Searcher, be absent from his office by the space of iii. weekes, he shall lose his office, except he be commaunded to be in some of the Queenes courtes of record, or otherwise in the Queenes service of record. 1. H. 4. 13. 4. H. 4. 20. 13. H. 4. 3.

If Customer shall continue by his office.

25 ¶ Aswell every Customer, Comptroller, and Searcher, as every of their deputies and servants, shall from time to time do their diligent attendance at the houres, times and places (appoynted by the statute made 1. El. for laying on land marchandizes) in the Customs house and els where, as it shall be most convenient for the speedy dispatch of the marchant, his wares and marchandize, and for the due execution of the foresayd act, in such things as to him shall appertain, without concealement or consenting to any thing, which may be to the damage of the Q. her heires or successors, in the iust answering of her customes & subsidies, upon payne that every such customer, comptroller, & searcher shall forfeit. for every offence his office, & C. li. to the Q. & J. wherein no W. & C. P. J. & c. And if any officer pertaining to the subsidie or Customs, doe knowe any offence committed contrary to any article of the sayde stat. and doe not disclose it within one moneth, to the chiefe officer of the same port, or to the Lord Chauncelloz, Treasorer, Barons of the Eschequer, or attourney generall & c. he shall forfeit. a C. li. 1. El. 11. S. Marchants. 5.

Officers of the Customs shall be attendant,

1 That no Brasle, Copper, Mettall, &c. shall be shipped but out of a port where there is a Customer. S. Brasle. 5.

2 What bondes, and vpon what paine a Customer shall take for the carying of Brasle or other mettall from one port of this realme to another, S. Brasle. 3.

Damages.

3 That masters of Ships shall declare vnto the Customers when they goe forth, and when they returne. S. Marchants. 7. 8.

4 For the Customers duetie in receiuing and selling of Hattes brought from any partes beyond the sea, and the owners in paying of Custome. S. Hattes. 8. 9. 10. 11.

5 What custome Aliens shall pay for salted fish and salted Herrings brought into this Realme. S. Fish. 19.

Damages.

Damages
where the pl.
doth delay his
suite, doth dis-
continue, or is
nonsuit.

Where any person shall sue forth or procure to be sued forth of the kings Bench any (Latitat, Alias, or pluries Capias) against any person which vpon the same shall be arrested, or appeare vpon the returne of any the said writtes or proces, and shall put in his baile to answere such as shalbe objected against him, then if the partie at whose procurement the same writ or proces was obtcined, doe not within iiii. dayes next after such bayle taken, put into the same court his declaration against the same partie against whom such writ or proces shall be sued, or if after declaration had, the pl. shall not prosecute the same with effect, but shall willingly and apparantly to the same court suffer his suite to be delayed, or shall after declaration suffer the same suite to be discontinued, or shall be nonsuit in the same, then the iudges of y^e said court shall by their discretions, as they shall perceiue any such default to be in the partie, at whose procurement such writs or proces was sued forth, awarde to euey such person so arrested or troubled by such writs or suit, his cost, and damages, & charges by any meanes sustained, or occasion of any such writtes, proces, arrestes or suites to be payed by such person, that so shall cause any such writtes or proces to be sued forth. 8. El. 2.

Suites in the
Marshallsey,
& incorporate
townes.

2 **I**f any person shall cause any other person to be attached or arrested to answere to any bill, plaint, accion or suite in the court of the Marshallsey, or in any court within London, or in any Citie, Borough, Towne corporate, or other place, where any priuiledge is vsed to hold plea in any accion personall, and do not in all courtes (ha- uing their continuance de die in diem) within iiii. dayes next after the defendant shalbe bailed, or otherwise appeare in court by force of any arrest or attachment had and returned, and in all other courtes at the next sessions or court to be holden after such arrestes or attachments and apparance of the def. whereas the sayd def. ought to appeare (vnles a further day shall be especially given by the discreti- on of the court from whence any precept, proces or attachement shalbe awarded) exhibite his bill or declaration against such person as

so by his meanes shall be attached or arrested, into such court where the partie ought to appeare, or if any such person at whose suite any such attachement or arrest of any person shall be so made, after his declaration, bill, or plaint exhibited, doe not from thenceforth prosecute the same his suite with effect, or shall suffer the same to be discontinued, or shall after be non suit in the same, or willingly and apparantly to the same court, shall for vexation of the def. delay the same suite, then the Judge or Judges of euery such court, shall forthwith by his or their discretion, as hee or they shall perceiue any such default or delay in the partie that procured any attachement or arrest to be had, award to euery such person, which shalbe so attached or troubled, his costes, damages, & charges by any meanes susteyned, by occasion of any such attachment, arrest, and suit so had against him, to be paid by such person that so shall cause any such attachement, or arrest to be so made. 8. El. 2.

3 ¶ If any person shall by any meane maliciously, or for vexation procure any other person to be arrested or attached, to answere in any the courtes or places aforesayd, at the suite or in the name of any person, where in deede there is no such person knowen, or without the consent of such person at whose suit, or in whose name such arrest or attachement shalbe so had, then euery person that shall so procure any such arrest or attachment, and shall thereof be convicted, or lawfully accused by indictment, presentment, or by the testimonie of two sufficient witnesses or moe, or other due prooffe, shall for euery such offence by him committed or procured, suffer imprisonment vi. monethes without baile or mainprise, and before he shalbe deliuered out of the prison, shall pay vnto the partie so arrested or attached by his meanes treble the costes, charges, damages and expences, that he shalbe put vnto by reason of such attachment so had, and shall also pay vnto such person in whose name or at whose suite he shall so procure such arrest or attachment to be made (if then there shall bee any such person knowen) x. li. for euery such offence. 8. El. 2.

Arresting of any person at anothers suit, not knowing thereof.

4 ¶ Euery person to whom any costes, charges, damages, for forfeiture, or payment of any money, by this act shall be awarded, or forfeited, may at all times haue his remedie for the recouery thereof by A. of debt, bill, or plaint, in any court of recorde, against such person, his heires, executors or administrators, as ought to pay the same, by force of this act, wherein no Writ of Error, &c. 8. El. 2.

A remedie for forfeiture aforesaid.

5 ¶ If any defendant or tenant, against whom iudgement to recouer is giuen, or if any other that shall be bound by the sayde iudgement, sue before execution had, any writ of Error, to reuerse any such

Damages in a writ of Error sued before execution.

Damages.

iudgement in delaying of execution, then if the sayd iudgement bee affirmed good in the sayde writ of Error, and not erroneous, or that the sayd writ of Error be discontinued in the default of the partie, or that the person that sueth such writ of Error be nonsued in the same, then the sayd person against whom the said writ of Error is sued, shall recover his costes and damages for his delay and wrongfull veration in the same, by discretion of the Justice before whom the said writ of Error is sued. 3. H. 7. 10. 19. H. 7. 20.

The def. shall recover his costes in these actions, if the pl. be nonsuited, or the verdict passe against him.

6 ¶ If any person doe commence, or sue in any court of record, or in any other court, any accion, bill or plaint of trespassse upon the statute of 5. R. 2. 7. for entries into landes and tenements where no entrie is given by the law, or any accion &c. of debt, or covenant, upon any specialtie made to the plaintife, or upon any contract supposed to be made betweene the plaintife and any person, or any accion &c. of Detinue of any goods or cattels, whereof the pl. shall suppose that the propertie belongeth to him, or any accion &c. of accompt, in which the plaintife suppose the def. to be his bailife or receiuor of his manor, money, goods &c. to yeelde accompt, or any accion &c. upon the case, or upon any statute for any offence or wrong personall immediately supposed to be done to the plaintife, and the pl. in any such accion, bill or plaint after apparance of the def. be non suted, or any verdict happen to passe by lawfull triall against the pla. in any such accion, bill or plaint, Then the def. in euery such accion &c. shall haue iudgement to recover his costes against euery such pla. And that shall be assessed by the discretion of the Iudge or Iudges of the court where any such accion, bill, or plaint shall be commenced, sued or taken. And also euery def. in such accion, bill or plaint, shall haue such proces, and execution for the recovery of his costes against the same pl. as the same plaintife should or might haue had against the def. in case that y^e iudgement had bene giuen therein for the plaintife. 23. H. 8. 15.

He that is allowed in forma pauperis shall not pay costs, but he otherwise punished.

7 ¶ But all & euery such poore persons, being plaintifes in any of the said actions, billes, or plaints, which at the commencement of their suites, or actions be admitted by discretion of the Iudge or Iudges where such suites shall be pursued or taken, to haue their proces and counsaile of charitie without any money paying for the same, shall not be compelled to pay any costes by this statute, but shall suffer other punishment, as by the discretion of the Iustices or Iudge before whom such suites shall depend, shall be thought reasonable. 23. H. 8. 15.

Who want shall recover costs and damages against the pl.

8 ¶ Euery auowant, and euery other person and persons, that make any Auowrie, Iustification, or Cognisance, as Bayly or seruant to any person or persons in any replegiarie, or second delin-

rance,

rance, for rents, customes, seruices, or for damage fasant or other rents, vpon any distress taken in any landes or tenements, if the same auowrie, conuulance, or iustification be found for them, or the plaintifes in the same be nonsuit, or otherwise barred, then they shall recouer their damages and costs against the said plaintifes, as the same plaintifes should haue done, if they had recouered in the replegiarie or second deliuerance found against the sayd defendants. 7. W. 8. 4. 21. W. 8. 19. S. Auowrie 2.

9 **C**Albeit the plaintife shalbe non suted in any whatsoeuer action, suite, bill, or plaint commenced or sued to the vse of the Queene, her heires or successors, kings of England, or that it shall happen any verdict to passe against any such plaintife in any such accion &c. the defendant shall not recouer any costs against any such pl. 24. W. 8. 8.

Accions sued to the Queene's vse.

10 **C**If any informer, or pl. vpon any penal statutes shal willingly delay his suit, or shall discontinue, or be nonsuit in the same, or shall haue the triall or matter passe against him therein by verdict, or iudgement of lawe, in euery such case he shall pay vnto the def. his costes, charges and damages to be assigned by the court, in which the same suite shall be attempted, for the recouery and execution wherof, the def. shall immediatly vpon the same costes, charges, and dammages assigned, haue his Capias ad satisfaciend. Fieri facias or Elegit, to be awarded vnto him out of the same court in which the same shall be so assigned. 18. El. 5. 27. El. 10. S. Accion popular. 4.

The informer shall pay costs and damages.

11 **C**If disseisors doe alien their landes, and haue not whereof damages may be leuied, they to whose handes such tenements shall come, shall be charged with the dammages, so that euery one of them shalbe charged with dammages for his time. And the disseisee shal recouer dammages in a writ of entry vpon disseisin, against him which is found tenant after the disseisor. Gloucester. 6. Ed. 1. 1.

The attenee of the disseisor charged with damages.

Entre sur disseisin.

12 **C**Dammages shall be awarded where a man recouereth by assise of Mortdauncestor, Cofinage, Aiel and Besaiel, Gloucester. 6. Ed. 1. 1.

Mortdauncestor, Cofinage, Aiel, Besaiel.

13 **C**In all cases where the demaundant shall recouer dammages (being the value of the issues of the lande) there he shall also recouer against the tenant, the costes of his writ purchased, with the said dammages. Gloucester. 6. Ed. 1. 1.

Where damages shalbe recouered, there costes shalbe also.

14 **C**Euery man shall be compelled to render dammages, where recouerie is had against him vpon his owne intrusion or acte, which dammages shall runne after the writ purchased against him though his auncestour died seised thereof. 6. Ed. 1. 1.

Reconerie vpon his owne intrusion.

15 **C**The Queene in all suites to be taken, vpon any specialtie

Demurrer. Dilapidations.

The Queene
shall recouer
costs and da-
mages.

made to her grace, or any to her vse, shall recouer her iust costes and
dammages as other common persons vse to doe, in suites for their
debts. 33. H. 8. 39.

1 That a woman shall recouer damages in a writ of dower, from
the death of her husband. S. Dower. 1.

2 Where treble damages shalbe recouered vpon assise of com-
mon of pasture, S. Approuements. 5.

Demurrer.

After demur-
rer, iudgement
shalbe giuen,
notwithstan-
ding any de-
fect in proces
or pleading.

After demurrer ioyned and entred in any accion or suite, in any
court of Record within this Realme, the Judges shall proceede
and giue iudgment, according as the very right and cause of the mat-
ter in lawe shall appeare vnto them, without regarding any imperfec-
tion, defect or want of forme, in any writ, returne, plaint, declaration,
or other pleading, proces, or course of proceeding whatsoever: Except
those onely which the party demurring shall specially and particular-
ly set down and expresse together with his demurrer. And no Judge-
ment to be giuen shall be reuerfed by any writ of error, for any such
imperfection, defect or want of forme, as is aforesaid, except such one-
ly as is before excepted. 27. El. 5.

The court
may amend
defects of
forme after
Demurrers
ioyned.

2 After Demurrers ioyned and entred, the court where the
same shalbe, shal and may, from time to time amend al and euery such
imperfections, defects and wants of forme as is before mentioned, o-
ther then those onely, which the partie demurring shall specially and
particularly expresse and set downe together with his demurrer, as is
aforesayd. 28. El. 5.

Appeale, in-
dictment, and
presentment of
felonie, mur-
ders, treason.
Information
vpon penall
statute.

3 This act or any thing therein contained shall not extend to
any writte, declaration or suite of appeale of felonie or murder, nor to
any indictment or presentment of felonie, murder, treason or other
matter, nor to any proces vpon any of them, nor to any writ, bil, accion,
or information, vpon any popular or penall statute: any thing afoze-
said to the contrary, notwithstanding. 27. El. 5.

Dilapidations.

Fraudulent
deedes to de-
feat the succes-
sors of their
remedie for di-
lapidations.

If any Archbishop, Bishop, Deane, Archdeacon, Priorost, Trea-
surer, Chaunter, Chauncelor, Prebendary, or any other hauing any
dignitie or office in any Cathedrall or Collegiat Church within this
Realme, or any Parson, Vicar, or other incumbent of any ecclesiasti-
call liuing, whereunto doe belong any houses or buildings, which by
lawe or custome he is bound to maintaine in reparation, doe suffer
any of his sayd houses or buildings to fall downe, or runne in decay,
and

and after doe make any deede of gift, alienation or other conueiance of his mooueable goods or cattels, in his life time, to the intent after his death to defeate his successors of such iust actions and remedies as otherwise they myght haue had for the same, against their executors, or the administrators of their goods, then the successors of him which shall make such deede &c. shal and may commence suit, and haue such remedie in any Court Ecclesiasticall within this Realme, competent for the matter against him or them, to whom such deede or gift, or alienation shalbe so made, for the amending and reparation of such dilapidations, or iust recompence for the same, as hath happened by his fact or default, in such sort as hee might, shoulde or ought lawfully to haue, if he or they to whom such deede of gift were made, were executor of him that made such deede &c. or administrator of his good &c. 13. El. 10.

2 ¶ Whosoever doeth recouer any summes of mony, for or in the name of Dilapidations, by sentence, composition, or otherwise, and doeth not within two yeeres after the receipt thereof truely imploie the same vpon the buildings, and reparations, in respect whereof such money or dilapidations shalbe payed, shall for. double so much to the Queene as shalbe receiued and not employed. 14. El. 11.

Money recouered for dilapidations, shall be imploied in reparations.

Disceipt.

If any Seriant, pleader or other, doe any deceit in the Queenes Court, or doe consent thereunto, to deceiue the Court or party, and is thereof attainted, he shalbe imprisoned a yeere and a day, and being a Councillor, shall not any more be receiued to plead in the Queenes court for any man. And if he be any other then a pleader, he shalbe imprisoned as aforesayde. And if the trespassse require a greater punishment, it shalbe at the Queenes pleasure. West. 1. 3. Ed. 1. 29.

2 ¶ A writte of deceite holdeth place and is mainteinable as well in place of garnishment which toucheth plea of lande where such garnishment is giuen, as in case of summons of plea in lande. 2. Ed. 3. 17. Northampt.

Discontinuance of proces.

By the death, or demise of the Queenes Maiestie that now is, or of any that hereafter shall be King or Queene of this Realme, any action, suit, bill, or plaint, that shall depend betweene partie and partie in any of the Queenes Courts, and other courts of recorde, shall not in any wise bee discontinued, or put without day. But the Proces, Pleas, Demurres, and continuances in euery action, actions, suites, billes,

Death of the King shall not discontinue any suite.

Discontinuance of proces.

billes, or plaintes, which shall depende, shall stand good, & be prosecuted, and sued forth, in such maner and forme, and in the same estate, condition and order, as if the same King or Queene had liued. And al maner of iudiciall proces, that shall bee pursued in the time of the reigne of any other King or Queene, then reigned at the time of the pursuit of the originall, or other former proces, shalbe made in the name of the King or Queene, that for the time shall reigne & bee King or Queene &c. And variance touching the same proces, betweene the names of the Kings or Queenes shall not be materiall, as concerning any default to be objected therfore. 1. Ed. 6. 7.

Death, newe
commission or
association of
Justices maketh
no discontinuance.

2 ¶ Every assise of Nouel disseisin, assise of Mortdancester, Iurivtrum, and Attaint, which shall bee arraigned, commenced or sued before any Justices of Assise, shall not bee discontinued, or put without day, by reason of death, newe commission, association, or not coming of the same Justices, or any of them, but shall stande good in the lawe, to all intentes, the death, newe commission, association, or not coming of the same Justices or any of them in any wise notwithstanding. 1. Ed. 6. 7.

No preferment
of the plaintife
to a name of
dignitie shal
abate his suite.

3 ¶ Albeit any demaundant, or playntife in any action, bill or suit, shalbe made Duke, Archbishop, Marques, Earle, Viscount, Baron, Bishop, Knight, Justice of the one Bench or of the other, or Seriant at lawe, depending the same action &c. yet no writ, accion or suite, shall for such cause, bee abatable or abated, but shall remayne in like force, as the same was before. 1. Ed. 6. 7.

Every one
shall remaine
Justice and
Commissioner,
though he
be preferred to
some dignitie.

4 ¶ Albeit any person being Justice of Assise, Justice of gaole deliury, or Justice of peace, within any the Queenes dominions, or being in any other of the Queenes commissions whatsoever, shall bee made Duke, Archbishop, Marques, Earle, Viscount, Baron, Bishop, Knight, Justice of the one Bench or of the other, or Seriant at lawe, or Sherife, yet he shall remaine Justice and Commissioner, and haue full power to execute the same in like maner as hee myght or ought to haue done before the same. 1. Edw. 6. 7. But no person exercising the office of the Sherife of any Countie, shall exercise the office of a Justice of the peace by force of any Commission or otherwise, in any Countie where hee shall bee Sherife, during the time onely, that hee shall exercise the said office of Sherifwicke. 1. H. 8.

No Sherife
shal be Justice
of peace.

Newe justices
may giue iudg
ment of a pris
oner found gilty
and replevied.

5 ¶ In all cases, where any person shall bee founde gilty of any Treason, Murder, Manslaught, Rape or other felony whatsoever, for the which iudgement of death shoulde or may ensue, and shalbe replevied to prison without iudgement at that time giuen against him, Those persons that at any time shall by the Queenes letters patents be

bee assigned Iustices to deliuer the Gaole where any such person found giltye shall remayne, shall haue full power to giue indgement of death against such person so founde giltye and repried, as the same Iustices (before whome such person was founde giltye) might haue done, if their commission of gaole deliuerie had remained in full force.

1. Ed. 6. 7.

6 ¶ No processe or sute made, sued or had before any Iustices of Assise, Gaole deliuerie, Oyer and Terminer, Iustice of Peace, or other of the Queenes Commissioners, shall be discontinued by the making and publishing of any new Commission or association, or by altering of the names of the Iustices of Assise, Gaole deliuerie, Oyer and Terminer, Iustices of peace, or other the Queenes Commissioners, but the newe Iustices, and other Commissioners may proceede in euery behalfe, as if the olde Commissions and Iustices and Commissioners had still remained not altered, 1. Ed. 6. 7. 11. H. 6. 6. S. Iustices of peace. 106.

No suit before Iustices shall be discontinued by a new commission.

Dispensations.

W Hosoever doth exact, or receiue of any Suiter more for any dispensation, facultie or licence, then is contained in the duplicat bookes of Taxes, wherein is written the taxes of al customable dispensations, faculties, licences & other writings, wont to be spedde at Rome, (one of which bookes do remaine in the hands of the clerke of the faculties, and the other in the hands of the clerke of the Chauncery, appointed for writing of licences, dispensations &c.) shall forfeite ten times so much as he shall so exact and receiue, to the Queene, and to be recovered by A. B. P. &c. wherein no W. &c. E. P. &c. 25. H. 8. 21. 1. El. 1.

Exactng for dispensation.

Distresse.

W Hosoever shall driue any Distresse out of the Hundred, Rape, wapentake, or Lath, where it is taken, (except it bee to a pound ouert within the same shire, being not aboue thre miles distant from the place where it is taken) or shall impounde in seuerall places, goods distrayned for any cause at one time, whereby the owner shall bee constrainned to sue seuerall repleuies for the deliuerie of the same distresse, shall forfeite to the P. griued for euery such offence v. pound and treble damages. 1. & 2. H. 6. 12. No man shall cause a distresse to be driuen forth of the Countie wherein it was taken. Marl. 52. H. 3. 4. West. 1. 3. Ed. 1. 16.

No distresse shalbe driuen forth of the Hundred where it was taken.

No distresse shalbe imposed in seuerall places.

2 ¶ Whosoever doeth take for keeping in pounce, poundage, or the impounding of any whole distresse, aboue iiii. v. or doeth take so much,

Poundage money.

much, where lesse hath vsually bene taken, shall forf. to the P. griened
b. li. and so much as he taketh ouer þ sayd iiii. d. &c. 1. & 2. P. & D. 12.

In what places distresse shall not be taken.

3 ¶ No man shall for any cause distrayne out of his fee, in the
Queenes high way, or common streete, but the Q. and her officers,
Marlb. 5 2. H. 3. 15. West. 2. 13. Ed. 1. 16. Neither shall any man di-
straine in the auncient fees of the Church: but in such possessions as
ecclesiasticall persons haue purchased of late, distresses may be taken.
Articuli cleri. 9. Ed. 2. 9.

A distresse im-
pounded in a
Castle.

4 ¶ If any man distraine another mans cattell, and drie them
into a Castell or Fortresse, and there holde them (being solempnly de-
maunded by the Sherife or Bailife) against gages and pledges, so
that the Sherife or Bailife can not make deliuerance of them to the
owner, the Sherife or Bailife taking with him the power of þ coun-
tie, shal beate downe the Castell, and the plaintife shal recouer double
damages for all the losse which he hath receiued by his cattell, hinde-
rance of his gaynage, or in other maner (after the first demaund of the
cattel made by the Sherife or Bailife) against him that tooke the cat-
tell, or against his lord, if he be not able to answere them, West. 1. 3.
Ed. 1. 17.

Damages for
a wrongfull
distresse.

5 ¶ If any person take a distresse of his owne authoritie, without
award of the Queenes court, and thereof be conuicted, or if one neigh-
bour take a distresse of another (wherby he hath receiued losse) without
award of the Queenes court, he shal make fine according to the quan-
titie of the trespassse, and neuerthelesse sufficient amends shalbe made
to them which haue receiued losse by such distresse. Marlb. 5 2. H. 3. 1.

None but su-
tors shall be
distrained to
come to a
court.

6 ¶ None shall distraine any to come to his court, which is not of
his fee, or vpon whome he hath not iurisdiction by reason of his hun-
dred or bailiwick, neyther shall any man take a distresse without his
fee, or the place where he hath iurisdiction, or bailiwick, vpon payne
to make fine according to the quantitie of the offence. Marlb. 5 2. H. 3.
2. Neither shall any man distraine his freeholder to answere for his
freeholde, or any thing thereunto belonging without the Queenes
writ. Marlb. 5 2. H. 3. 22.

The lord shall
not make fine
for distraining
his tenant.

7 ¶ If any distraine his tenant for seruices & customes, which he
claimech to be due vnto him, or for any other thing, for the which the
lord of the fee hath cause to distraine, and after it is founde that the te-
nant doth not owe him any such, the lord shal not therefore make fine,
if he do suffer the distresse to be deliuered according to the law and cu-
stome of the Realme, but shall be amerced, and the tenant shal recouer
his damages against him. Marlb. 5 2. H. 3. 3.

Excessive dis-
tresse.

8 ¶ Distresses shall be reasonable according to the quantitie of
the

the debt or damages, and not grievous, & he that taketh unreasonable and excessive distresses, shall be amerced. 51. H. 3. Parlb. 52. H. 3. 4. 28. Ed. 1. 12. S. Accomptants to the Queene. 45.

9 ¶ No distresse shall be made, but by Bailiffs which be known and sworn, & they which doe otherwise, and therof be convicted, shall answer to the parties grieved their damages, if they thereof doe bring their action of trespass, and also shall be grievously punished by the Queene. West. 2. 13. Ed. 1. 37.

Distress by
bailiffs known
and sworn.

10 ¶ If the Sherife, or any other doe distraine another mans beasts, they whose the Cattel be, may giue them meate of their owne, without disturbance, or paying any thing therefore, whiles they doe remaine in the pound. 51. H. 3. de distric. scaccarii.

The owner
may feede his
cattell which
be impoun-
ded.

11 ¶ No man shall be distrained by his beasts which till his land, nor by his sheepe, for the Queenes, or any other persons debt, so long as one may finde another distresse or other cattels sufficient, whereof to leuy the debt or thing in demaund, except it be the impounding of beasts which a man findeth doing hurt, according to the custome of the Realme. 51. H. 3. de distr. scacc. 27. Ed. 1. 12.

Plough cattel
and sheep shall
not be distrai-
ned, if &c.

12 ¶ No cattell nor other distresse taken for the Queenes debt, nor for any other thing, shall be sold or giuen within xv. daies after the taking therof. 51. H. 3. de distric. scaccarii. But Collectors appointed for the gathering of money towards the repaire of any decayed bridge, haue power to distraine any person which shall be taxed, and refuse to pay towards the same, and to sell the distresse. 22. H. 8. 5. And the Churchwardens of euery parish may distraine the goods of any Parishioner, which is assessed to pay any money towards the destruction of Crows, and other vermine, and doeth deny or doeth not pay the same, and the same distresse shall vse in such maner and forme, as distresses taken for amerciaments in leetes. 8. El. 15. And euery Receiver, Bailife, and Collector of the Queenes lands &c. for lacke of payment of the rents, issues and reuenues within their offices, may distraine and sell the distresse. 7. Ed. 6. 1. And Collectors appoynted for the gathering of money taxed in seuerall shires, towards the making of a Gaole in the same shire, may distraine any person taxed, refusing to pay, and after x. dayes sell the distresse. 23. H. 8. 2. 13. El. 25. And the Surueyors of wayes in euery parish may leuie the forfeitures by distresse, and sell the distresse. 18. El. 9. And the Collectors for the poore may seise and sell the goods of him which bringeth into England or Wales any Vagabond or begger out of Ireland or the Ile of Man, for xx. s. which he hath forfeited for the said offence, to the vse of the poore of the Parish, where any of the said persons were set on lande.

Selling of
distresse.

Distresse. Dower.

14. El. 5. And all forfeitures made by reason of the statute provided 18. El. for the setting of the poore on worke, and for the auoyding of idlenes, shalbe leuied by distresse, & sale of the offenders goods, to the value forfeited. 18. El. 3. And it shalbe lawful for the Constables and Headboroughs, of any towne, parish, village, or hamlet to distreine the goods of any inhabitant which obstinately refuseth to pay such rateable taxation and assessement which shalbe made vpon him for his part and portion of money recovered against the hundred vpon the statute of buy and crye, and to sell the distresse. 27. El. 13.

1 That euery Sherife shall appoynt iiii. Deputies to make repleuies, and deliuer distresses, S. Sherifes. 22.

2 Where a man shall distraine out of his fee, for arrerages of réts, S. Rents. 1, 2, 3.

3 That euery Receiuer, Collector and Baylife of the Queenes lands may distraine for default of payment. S. Accompt, 14.

Dower.

A woman shal
haue her Qua-
rentine.

A Widow after the death of her husband, incontinent shall haue her mariage & inheritance, and shal giue nothing for her dower, her mariage or her inheritance, which inheritance her husbande and she held the day of his death. And she shall tarry in the chiefe house of her husband xl. dayes after his death, within which dayes her dower shalbe assigned her, (if it were not assigned her before) or that y^e house be a Castell, and if she depart fro the Castell, then a competent house shalbe forthwith provided for her, in the which shee may honestly dwell, vntil her dower be to her assigned, and shee shall haue in the meane time her reasonable estouer of the common, and for her dower shalbe assigned the third part of all the landes which were her husbands in his life time, except she were endowed of lesse at the Church doore, Magna Charta. 9. H. 3. 7. And if any doe deforce from a Widow, her dower, or Quarentine of the tenements whereof her husband died seised, and after the same widow doeth by suite recouer the same, the deforceor shall peelde to the same widow her damages, viz. the value of her whole dower from the time of her husbandes death, vnto the day of her recovery by iudgement, and also the deforceor shalbe amerced. Mert. 20. H. 3. 1.

Elopiement is
an adulterer
is cause of forf.
of dower.

2 **I**f a wife doe willingly forsake her husband, and goe away & continue with her adulterer, shee shall lose for ever her accion to demand her dower, which she ought to haue of her husbandes landes, if shee be thereof conuict (except her husband will vpon his owne good will, and without compulsion by the Ecclesiastical law reconcile her, and suffer her to dwell with him) in which case her accion shall be re-
stored

stored againe vnto her. West. 2. 13. Ed. 1. 34.

3 **¶** Albeit any person shalbe attainted, conuicted or outlawed of any misprision of treason, murder, or felony whatsoeuer, yet every woman y^e shalbe wife of the person so attainted shal bee endowable, & enabled to demaund & enioy her dower, in like maner as though her husband had not bin attainted, cōuicted or outlawed. 1. Ed. 6. 13. But the wife whose husband shalbe attainted of any treasons whatsoeuer they be, shall in no wise be receiued to demand or haue dowrie of any y^e lands, tenements or hereditamēts of any person attainted of treason, during the said attaindoz in his force, any thing before mencioned to y^e contrary notwithstanding. 5. Ed. 6. 11. That y^e attaindoz of any person for any offence made treason by any of y^e acts made, 5. El. 1. 5. El. 11. 18. El. 1. shal not make any corruption of blood to any heire, nor the wife of the offendoz to forf. her dower. S. Queene, 8. Forfaiture, 2.

The wife endow-
ed, though her
husband be
attainted.

4 **¶** If any persons doe purchase, or shall haue estate conueyed in any landes, tenements or hereditaments vnto them, & to their wiues, and to the heires of the husband, or to the husband and to the wife, and to the heires of their two bodyes begotten, or to the heires of one of their bodyes begotten, or to the husband & to the wife for terme of their liues, or for terme of life of the said wife: Or if any such estate or purchase of any lands &c. shalbe made to any husbāde, and to his wife in forme aboue expressed, or to any other persons &c. to the vse of the said husband and wife, or to the vse of the wife, as is aboue rehearsed for the Joynture of the wife, then in euery such case, euery woman married hauing such Joynture made, shall not clayme nor haue title to haue any dower of the residue of the landes, tenementes or hereditaments that at any time were her saide husbands, by whome shee hath any such ioynture, nor shal demaund nor clayme her dower against thē that haue the landes and inheritance of her sayde husband, But if shee haue no such Joynture, then she shall be admitted to haue & demaund her dower by writ of Dower, after the course of the common lawes. 27. H. 8. 10.

A woman shal
not haue both
Jointure and
dower of her
husbands lands

5 **¶** But if any such woman be lawfully expelled or euicted from her sayde Joynture, or from any part thereof, without any fraud or couin by lawfull entre, action, or by discontinuance of her husband, then shee shalbe endowd of asmuch of the residue of her husbandes tenements or hereditaments, wherof she was before dowable, as the same landes so euicted &c. shall extende vnto. 27. H. 8. 10.

If a womans
iointure be es-
tablished she shall
be endowd.

6 **¶** Provided, that if any wife shal haue any lands, tenements or hereditaments vnto her giuen or assured after mariage, for terme of her life, or otherwise in Joynture (except the same assurance be to her

A woman may
chuse whether
she will take a
iointure assur-
ed after mar-
riage or her
dower.

Dower.

made by act of Parliament) & the said wife after that fortune to ouer-
live the same her husband, in whose tyme y^e sayd Joynture was assu-
red vnto her, then y^e same wife may at her libertie after y^e death of her
husband, refuse to take the lands so to her giuen during y^e couerture
in Joynture (except &c.) & thereupon demand & take her dower by
writ of dower, or otherwise according to the common law, of & in all
such lands, tenements & hereditaments, as her husband was seised of
any estate of inheritance at any time during y^e couerture. 27. H. 8. 10.

Dower, vnde
nihil habet.

7 **C**A writ of dower vnde nihil habet, shall not be abated by the
tenants exception, for that the woman hath receiued her dower of an
other man, before the writ purchased, if hee cannot shew that she hath
receiued part of her dower of himselfe, and in the same towne, before
the writ purchased. West. 1. 3. Ed. 1. 48.

A woman en-
dowable of
lands which be
recovered a-
gainst y^e hus-
band, by collu-
sion or default.

8 **I**f a man being impleaded of a tenement doth plainly peeld it
to his aduersary, or doth lose it by default, in both cases after the death
of the husbande, the wife shall be allowed to bring her writte of dower:
And the tenant which recovered by default in the suite commenced a-
gainst him, shall shewe his right, that he hath in the land, according to
his former writ, whereby he recovered against the husband. And if he
can shewe that the womans husband had no right in the landes in de-
mand, nor any other but himselfe, he shall goe quite, and he shall recover
nothing by her writ of dower. But if he cannot shew it, y^e woman shall
recover his dower. West. 2. 13. Ed. 1. 4.

1 For dowment by the custome of gavelkinde, & what cause of
forfeiture thereof, S. Prerog. 16.

2 That the Queene shall haue the reuerfion, if tenaunt in dower
die, during the minoritie of her ward. S. Willes. 9.

3 For admeasurement of dower by the gardein or heire, S. Ad-
measurement, 1.

4 That where the Queenes tenaunt in chiefe doeth intrude and
dye, his wife shall not be endowed. S. Prerog. 13. Liuerie. 2.

5 That the grauntee or committee of a Ward shall not haue aide
of the Queene in a writte of dower, S. Ayde, &c. 2.

6 Where a woman aliening her dower, or other particular estate,
he in the reuerfion may enter or haue his accion, S. Women, 1. 2.

7 That a woman shall haue her dowre though her husband bee
attainted of any of the offences made Felonie by the stat. 23. El. 2. S.
Newes. 7. Felony. 33.

8 That presentation to a church by an vsurper during the estate
of tenant in Dower shall not preiudice him in the Reuerfion, S.
Aduowson, 1.

**A Table declaring the length, breadth and weight of
all wollen cloth which is allowable to be made within
England and Wales, to be put to sale.**

	Length.	Breadth.	Weight.	Stat.
1 Cloth of Ray to be measured by the list, and the D. cloth according to the rate, shall vpon payne of forfeiture of the same, containe in	28. yards & being watered 24.	6. quarters.		2. Ed. 3. 15. 7. H. 4. 10. 13. H. 4. 4.
2 No piece of plaine white straytes made in the Counties of Deuon & Cornewall, shall vpon paine of y ^e forf. of y ^e same, or the value thereof be made aboue in	14. yards	1. yard	12. poūd	27. El. 18.
3 No peece of pinned white straites made in the said counties &c, shall, vpon y ^e like forfeiture, be made aboue in	14. yards	1. yarde,	12. poūd	27. El. 18.
4 Euery peece of Lancashire Cottons (which shall not be strained vpon the Taynters aboue one nayle in breadth) beyng sufficiently milled and thicked, cleane scoured, well wrought, and fully dryed, shall vpon payne to forf. for euery pound weyght lacking vnder 3. xii. d, and for euery ponde aboue, v. s. containe &c.	21. or 20 goads at least,	3. quarters or within one naile at least,	21. poūd at least,	8. El. 12.
5 Euery peece of Lancashire Frizes or rugges being vt supra, shall vpo the paine afore sayd, containe If any of the said Cottōs, frizes or rugs shalbe of any greater length: Then euery yarde so exceeding, shall waygh after such rate as &c, vpon payne M. i. of	betwixt 35. & 37. y.	3. quarters at most or within one naile at least.	43. poūd at least,	8. El. 12.

F
from
C
Culivm
from
Gillais
Shelia

The Table of Drapery.

	Length.	Breadth.	Weight.	Statute.
of tort, for euery yarde, not weighing after the rate, xii. d.				
6 Narrowe listd whites made in Wiltsh. Gloucest. and at the Sommerfetshire, or els where of like making, shal containe	28. yards at the most.		61. pound at the least.	27. El. 17.
7 Broad listd whites made in Wilt. Gloucest. & Sômerfet. or els where of like making, shall containe	28. yards at the most.		63. pound at the least.	27. El. 17.
8 Euery peece of broad clothe made in Kent, Suffex, Reding, or els where of like making, as the clothes made there, shall containe	betwixt 28. & 30. y. wette.	7. quarters at least within y listes.	86. pound thicked and fully dried.	5. E. 6. 6. 4. & 5. P. & M. 5.
9 All white clothes made in the Citie of Worcest. called long worcesters, & all clothes of like making made in Couentree or els where shal containe	betwixt 29. & 31. y. wette.	7. quarters at least within y listes.	75. pound scoured & dried.	5. E. 6. 6. 4. & 5. P. & M. 5.
10 Coloured cloths made in Couentree & Worcest. or els where of like making, shall containe	betwixt 29. & 31. y. wette.	7. quarters at least within listes.	80. p. at l. thicked & dried.	5. E. 6. 5.
11 Short Worcesters made in the Cities of Couentree & worcester, or els where of the same sort, shall containe	betwixt 23. & 25. y. w.	7. quarters at least.	60. pound scoured, thicked & dried.	5. Ed. 6. 6.
12 All coloured long cloths made in Suff. Norff. & Essex, or els where of like sort, shal containe	betwixt 28. & 30. y. w.	7. quarters at least.	80. p. at l. scoured thicked & dried.	5. Ed. 6. 5.
13 Euery coloured shori cloth made in Suff. Norff. and Essex, or els where of like sort shall containe	betwixt 23. & 25. y. w.	6. quarters and d. wet.	64. p. at l. scoured thicked & dried.	5. Ed. 6. 6. 4. & 5. P. & M. 5.
14 Euery				

	Length.	Breadth.	Weight.	Stat.
14 Every coloured cloth made in Suff. Norff. & Essex, or els where of like sortes, called handiwarps, & all whites there made or els where, as Cocksale whites, Glainsford and other handiwarpes, shall containe		7. quarters out of water.	Every y. 2.p. & d. at least scoured thicked & dried	5. Ed. 6. 6. 4. & 5. P. & M. 5.
15 All whites & reds made in Wiltshire, Glou. & Somersetshire, or els where of like making, and all other whites made in any other part of the Realme not before remembered, shall containe	betwixt 26. & 28. y. wette.	being thoroughly wet, 6. quarters and d. within the listes unwrought and lyfted 27. El. 17.	whit. 61. p. coloured 60. p. scoured thicked & dried.	5. E. 6. 6. 4. & 5. P. & M. 5.
16 All broade Plunkets, Azures, Blewes, and other coloured cloth made in Wiltshire, Glouc. and Somersetshire, or els where of like making, shall containe	betwixt 25. & 28. y. wette.	7. quarters at least.	88. p. at l. scoured, thicked & dried.	5. Ed. 6. 6.
17 Every course short cloth made in Suff. Norf. & Essex or els where of like sort, & every y. w. course cloth made in Ket not exceeding the price of vi. li. shall containe	betwixt 23. & 25. y. w.	6. quarters and d. wet within listes,	64. p. at l. scoured thicked & dried.	4. & 5. P. & M. 5.
18 All Karseys called ordinaries, shall containe	betwixt 16. & 17. y. wette.		19. p. at l. S. T. and D.	5. E. 6. 6. 4. & 5. P. & M. 5.
19 All sorting Karsies shall containe	betwixt 17. & 18. y. w.		22. p. at l. S. T. and D.	5. Ed. 6. 6. 4. & 5. P. & M. 5.
No person using the trade of making of Karsies, shall purposely make any karsies, above the length of 18. yards at most, upon payne of forf. xl. s. to the Q. & I. 14. El. 10.				
M. ii. 20 Euc-				

The Table of Drapery.

	Length.	Breadth.	Weight.	Stat.
20 Euery Deuonthire Ker- sie, called Dozen, shall con- taine	betwixt 12.& 13 y.w.		Euery y. 1.p.at l. S.T.& D	5.E.6.6. 4.& 5.P. & M.5.
21 All broad cloths made in Tauntō, Bridgewater, & other places of like sort shal cōteine	betwixt 12.& 13. y.w.	7. quar- ters,	34.p.the piece at l S.T.& D	5.Ed.6. 6.
22 Euery narrow cloth made in y said townes or els where of like sorts, shall containe	betwixt 24.& 25. y.w.	1.yard,	34.p.at l S.T.& D	5.Ed.6. 6.
23 Al cloths named Check Kersies and straites shall con- taine	betwixt 17.& 18. y.wette.	1.y. wet. at least	24.P.the piece at l S.T.& D.	5.E.6.6.
24 Euery goade of Welsh lining shall containe		3. quar- ters wet.	1.p. & d. quarter.	4.& 5.P. & M.5.
25 Euery yarde of Cotton being fully wrought and cot- toned, shall containe			1.p.at l,	4.& 5.P. & M.5.
26 Al Welsh frizes wrought within the shires of Cardegā, Carmerden, or Penbrooke, or els where of like making, redy to be solde for a whole peece, & euery halfe peece of Welsh frizes accordingly shall cōtein	36.yards wette at most,	3. quar- ters of a yard,	48.pouñd the piece at l,	5.E.6.6.
27 Euery Northerne cloth shall containe And euery halfe peece called douzens, shall containe the same bredth, & halfe the same length and wayght.	betwixt 23.& 25. y.	7. quar- ters of the y, at least wet.	66. p.the picce at l.S.T.& D.	5.E.6.6.
28 All cloth called Peni- stones or forest whites, shall containe	betwixt 12.& 13. y.wette.	6. quar. & D. out of water.	28.p.the piece at l. S.T.& D.	5.Ed.6. 6.
29 All Cottons called Man- chester & Cheshire Cottons, ful wrought to the sale (which may bee deuided vnto two halfe pieces, & shall containe such breadth and waight, as is	22 goades.	3. quar- ters wet.	30.p.the piece at least.	5.Ed.6.6.

limited to a whole peece, 4. & 5. P. & M. 5.) shall containe

30 All cloths called Manchester Rugs or Manchester frizes (which may be deuided into two halfe peeces, & shall cōteine such bredth & waight as is limited to a whole peece 4. & 5. P. & M. 5.) shal cōteine

36
yardes.

3. quar-
ters wct.

48. p. the 5. Ed.
peece at 6. 6.
l. wroght
& dryed.

31 ¶ Every person which shall make or cause to be made, any of the seuerall kindes of broad clothes aboute rehearsed of any shorter or longer measure then is aboute specified in the Statute made 5. Ed. 6. and 4. and 5. P. and M. and appoynted for euery countrey, or seuerall kinde of Clothes to be made, or make any such cloth of lesse breadth, being well scoured, thicked, milled, and fully dyed, then is aboute specified, and appoynted for euery seuerall countrey or kindes of clothes, and shall put the same to sale, shall forfeite for euery such default of euery cloth solde or offered to bee solde in length or breadth xl. s. And euery person which shall make or cause to bee made any of the seuerall kindes of kerseys, narrow clothes, straytes, douzens, fryzes or cottons aboute mencioned, which shall not bee made in such maner and forme, as is aboute sayde, nor containe in length and breadth seuerally appoynted as is aboute specified, shall forfeite for euery peece of such cloth so made and sold, or offered to be sold xx. s. And if any such cloth or kersey shall lacke of such wayght, as by the said statute it is appoynted to haue: Then the maker thereof, or other person in whose possession the same shalbe found, shall forfeit for euery pound lacking aboute iiii. pounce, v. s. And also for euery pound not exceeding iiii. li. ii. s. to the D. & J. to be recouered by A. J. & c. wherein no W. & c. E. P. & c. 5. E. 6. 6. 4. & 5. P. & M. 5.

32 ¶ If any broad cloth shall exceede the seuerall length before appoynted, by meanes of the finenesse, or the good & stuffie making of the same, then the maker thereof shall not incurre any penaltie for the ouer length of any such fine cloth. 5. Ed. 6. 6. And if any cloth or kersey of the seuerall kindes of makings mencioned in the foresaide statutes of 5. Ed. 6. and 4. and 5. P. & M. doe exceede the seuerall lengths mencioned in the same: then euery yarde so exceeding, shall weigh after such rate, as euery yarde of such cloth or kerseys conteyning the

Cloth exceeds
the ap-
pointed length.

Draperie.

saide seuerall lengthes, shall or ought to weigh, vpon payne of forfeiture for euery yarde not weighing after such rate, v.s. 5. Ed. 6. 6. 4. & 5. R. & M. 5.

Whites and
reds made in
Wilt. Glouc.
Somerset
shire.

Narrowlisted
whites.

Broadlisted
whites.

The Draper
shal trie the
cloth and pres-
ent it faultie.

33 ¶ If any whites or reds made in the Counties of Wiltshire Gloucester and Somerset, or else where, of like making, or any other whites before mentioned (vz. in the 15. branche) shall not contayne 6. quarters and a halfe at the least within the listes as is aforesayde: then euery person offending in that behalfe, shal for euery such cloth be subiect vnto such paynes, penalties and forfeitures, as were by force of the said statute of 5. Ed. 6. to haue bene forfeited for want of breadth of 7. quarters within the listes, vz. he shall forfeite for euery such default of euery cloth solde or offered to be solde, 40. s. to the finder thereof. And if any cloth to be made in any of the said counties or els where, of like making, called Narrow listed whites, being wel scoured, thicked, milled, and fully dyed shall containe in weight any lesse then 61. pound at the least, or if any cloth to be made in any of the saide Counties or els where of like making called broad listed whites, being wel scoured, thicked, milled and fully dyed, shall containe in weight any lesse then 63. pounds at the least: Or if any of the saide clothes called Narrow listed or Broad listed whites shall containe in length any more then xxviii. yardes at the most: then euery of the saide Clothiers therein offending, shall incurre double such penalties and forfeitures for euery pound so wanting of the sayde seuerall weights aboue limitted, and for euery yarde so exceeding in length, and not weighing after such rate as is before expressed, as by the foresayde statute of 4. & 5. R. & M. 5. is provided and appoynted, vz. he shall forfeite for euery yarde exceeding in length x. s. and for euery pound lacking aboue foure li. x. s. and for euery pound not exceeding foure pound, iiii. s. 27. El. 17. to continue for five yeeres next after this session of Parliament, and from the sayde five yeeres, vntill the ende of the next session of Parliament then next following.

34 ¶ No Draper, Marchant Taylor, Clothworker, or other person which shal retaille any such clothes or kerseyes, frizes, rugges or cottons of the seuerall makings specified in the act made 5. Ed. 6. shal put to sale any of the said clothes, whereunto the Aulneger shall haue set the Quenes seale, and the owner his seale, til he haue made trial as wel by the water as by the weight and measure, whether they shall be made according to the purport and true meaning of the saide Act or no. And if any person shall finde any defectiue or faultie cloth, in length, weight or measure, made contrary to the orders aforesaid, then he shall present euery such cloth, to euery Mayor, Bayliffe, or other head

head officer or head officers of every Citie, Borough, or towne corporat, or to the two Justices of peace next adjoining out of a Citie, Borough or towne corporat where such cloth shalbe found faultie, to the intent the same cloth may be cut into three equal peeces, the one peece thereof to be forfeite to the Queene, another to the presenter thereof, and the third part residue to such person or persons as it shall then be presented to, upon paine that every such person as shal so search every of the clothes, kerseyes, cottons or frizes aforesaid, so by him bought and solde, and shall not seise and present such cloth as he shall finde defective, shall forfeite the double value of every such cloth. 5. Ed. 6. 6. 25. Ed. 3. 1. S. 56.

35 ¶ Every Clothier or other person whatsoever, which so shall sell any such faultie kersey, cotton or frize, whereunto the Aulueger and the owner shal haue set to their seales, and shalbe so seysed as is aforesaid, shall within xiiii. dayes next after request made by writing, message, or otherwise by such person which shall so buy such cloth, make payment of such summes of money as he receiued for the same, or shal otherwise satisfie, discharge and acquit him for so much money, as he shall or should haue receiued for the same, upon paine of forfeiture to the R. greued for every non payment, or not acquitall, the double value of the money so receiued, &c. to be recouered by A. B. R. &c. wherein no W. &c. E. R. &c. 5. Ed. 6. 6. S. 56.

Repayment of money receiued for faulty cloth.

36 ¶ Aswel the Mayor of London and Aldermen, or the more part of them, as every other Mayor, Baylife, and head officer of every citie, borough or towne corporat within this Realme, shall from time to time appoint two, or mo honest discreete & expert persons, which shall from time to time upon their othes viewe & search all clothes that shalbe dressed, died or pressed with the colde presse, within every such citie, borough, towne corporat, or port towne, and viewe & search whether the same clothes be well & sufficiently dressed & pressed with the colde presse, without putting therto flocks solace, chalke, flower, or any other deceitfull thing, and also whether the same shall be well died with good and perfect colours without any deceiueable thing, or whether it shalbe streined any more then in this statute is specified, & shall haue power to enter into every persons house where they shall thinke meete, to search & seise every such cloth as they shal find defective in the premisses, in whose hands soever they shalbe found, as forf. to the Q. & to the Mayor & Comminaltie of the citie, borough, towne corporat, port towne or market towne where the same shall be seised. And every person in whose possession such defective or faultie cloth either by cuill dying, dressing or pressing, shalbe found and seised, shall

Searchers of cloth.

Deceitfull things put in cloth.

Draperie.

haue his remedie (by A. I. &c. wherein no W. &c. E. P. &c.) agaynst euery such person by whose defaultes or negligence such cloth shall so be found faultie, and shall thereby recouer all such costes, losses and dammages as he shal sustaine by occasion thereof. And euery Maior, head Officer, &c. of any Citie, Borough, or towne corporate, in which any clothes shalbe made, dyed, dyessed, or pressed with the colde presse, which do not appoynt so many searchers as shalbe requisite to search and viewe clothes vpon their othes, shal forfeite for euery default x. li. to the Q. & I. to be recouered by A. I. &c. wherein no W. &c. E. P. &c. 5. Ed. 6. 6.

A seale of Lead
in euery cor-
porate towne.

37 ¶ Aswell the Maior of London, as euery other Maior, Bay-
life, portriue, or other head officer of euery Citie, Borough, Towne
corporate, or port Towne, shall cause to be prepared a Seale of Leade,
wherein aswel the armes, as the name of euery such Citie, Borough,
Towne, &c. shall be grauen, which the same searchers shal cause to be
fixed to euery cloth that they shall finde well and sufficiently dyessed,
dyed and pressed, with the cold presse without any of the deceits afore-
sayde, and shall haue for their paynes by the owner thereof for the sea-
ling of euery cloth ii. d. 5. Ed. 6. 6.

The sealers
forfaite for sea-
ling of faultie
cloth.

38 ¶ If any searchers doe finde any of the clothes being colour-
red or dyed, either cockly, pursie, baudy, squaly, or rowie, or euill bur-
led, or wasted in the mill, or full of holes, or brackes, then they shall
besides the Seale of the Citie, Borough or Towne corporate where
the same cloth shalbe founde, put another seale of Leade, at euery ende
of the sayde cloth, wherein shall be grauen the letter (F) and shall al-
so sette a marke in the lyst, right against such place where any of the
faultes aforesayde shall bee, with the print of a letter or marke of an
ynche compasse at the least, whereby euery buyer may well knowe
what and where the fault is. And if any of the aforesayde searchers doe
set the Seale of any Citie, Borough, &c. to any cloth which shall haue
any of the aforesayde faultes, and do not see at euery ende of the clothes
one Seale with the letter (F) then the Comminaltie of euery such
Citie, Borough &c. where such searcher shall be appoynted, shall for-
faite for euery such omission five pound to the Queene & Informer, to
be recouered by A. I. &c. wherein no W. &c. E. P. &c. 5. Ed. 6. 6. 4. and
5. P. and M. 5.

Cloth sealed in
one borough,
shall not be
searched in an
other.

39 ¶ The Seale of euery borough or towne corporate, appointed
for the sealing of any kinde of cloth, shalbe fixed to euery such kinde of
cloth being well made within such Citie, borough or towne corporate,
which cloth so sealed with the Seale of any Citie, borough, or towne
corporate, shall not be searched, tryed or viewed by any searcher or sea-
ler

ler of any other citie, borough or towne corporate, by vertue of his said office. 4. and 5. P. and M. 5.

40 **I**f any of the sayd Searchers so appoynted by the Maior, Bailife or other head officer of any Citie, Borough, or Towne corporate, hauing no reasonable excuse, doe refuse to be a searcher and do not vse the office of a Searcher, he shall forfait for euery such refusall and not executing of his office v. li. to the Queene, and the vse of the comminalltie of euery Citie, Borough &c. where he shal be assigned, & also shall remaine in ward, till he hath payed y^e said forfaiture, or otherwise put in sufficient bond for the satisfaction of the same. 5. Ed. 6. 6.

Refusing to be a searcher.

41 **T**he searchers or sealers and euery one of them, haue authoritie in the day time, to enter into euery house of euery person, where he or they shal thinke meete, to search, and to trie euery kind of clothes, kerseys, frizes, & rugges, as they shall find defectiue, either in length, bredth or waight, and the same to trie by water and waight, and also to search and seise as forfait euery cloth made of other colours then in this act is appointed. 4. & 5. P. and M. 5.

The searchers or sealers may enter into euery mans house

42 **I**f any person shal deny, withstand, or withhold any clothes, kerseys, frizes, rugges, from the sayde sealers or searchers, or any of them, or will not suffer them to enter into their shops, warehouses, houses or places where their clothes &c. shalbe, the same to be searched and tried as is aforesaid: Then he so denying or withstanding, for euery such withstanding, withholding or denyall, shall forfait x. li. to the Q. and A. to be recouered by A. J. wherein no W. &c. E. P. &c. 4. and 5. P. and M. 5.

Denying or search.

43 **I**t shal not be lawfull for any of the said searchers or sealers, or any other person, to search any wollen cloth or kersey, whereunto the seale of a citie, borough or towne corporate shalbe fixed within the cloth market of London, called Blackwel hall, or in any comon cloth faire, or cloth market, of any other citie, borough, or towne corporate, in and during the time of the faire or market. 4. & 5. P. & M. 5.

No cloth which is sealed shalbe searched in a market.

44 **I**f any person shal by himselfe, or by any other person by him procured, counterfeit, set to, or take away from any cloth, Kersey, fryze, rugge, or cotten, any seale appointed to be fixed to the same, by eyther of the statutes made 5. Ed. 6. & 4. & 5. P. and M. Then he shall forfait for the first offence, (being thereof duely conuicted by verdict of xii. men, or by two sufficient witnesses, or by confession of the partie) x. li. And for the second offence being likewise conuicted, shall sit on the pillorie, and forsayte to the Queene all such his goods and sattels (his debts being truly payed) as he shal haue at the time of his conuiction. 5. Ed. 6. 6. 4. & 5. P. & M. 5.

Counterfaising or taking away a seale.

Draperie.

No cloth retai-
led but which
is sealed.

45 **N**o person which commonly useth to retayle cloth or kersey, shall put to sale, ingrosse, or by retayle to any person, any maner of cloth being dyessed, dyed, and pressed, except there bee fixed thereunto at euery end of the same Cloth the seale of such Citie, Borough or Towne corporate where the same cloth shalbe so died, dyessed and pressed, or the seuerall seale of euery such Citie, Borough or Towne corporate, where it shalbe died, dyessed or pressed, to remaine at the last end of euery of the sayd Cloth, which shalbe sold during all the time that any peece of such cloth is to be solde, vpon paine of forf. the whole value of such cloth to the Q. and J. to be recovered by A. J. &c. wherein no W. &c. E. P. &c. 5. Ed. 6. 6.

Bridge water,
Tanton, Chard
clothes.

46 **A**nd euery person dwelling within the Countie of Somerset, which shal put to sale any wollen clothes, commonly called Bridgewater, Tanton, and Chard clothes, or clothes of like making, nature, and sort, made within the said Countie, except such cloth be first viewed, searched, and seene in one of the Boroughs of Bridgewater, Tanton or Chard, and sealed with the Seales of one of the said Boroughs or Townes, according to the foresaid statute, 5. Ed. 6. shall forfeite the cloth solde, or the value thereof, to the Q. and J. &c. to be recovered by A. J. &c. wherein no W. &c. E. P. &c. 2. & 3. P. & M. 12.

Clothes
brought to a
towne corporat
to be sealed

47 **E**uery person not dwelling within any Citie, Borough or towne corporate, and making any of the clothes or kerseys aforesaid, may lawfully bring the same to the next Citie, Borough or corporate Towne where any such kinde of clothes or kerseys be commonly made, there to be sealed in maner and forme aforesaid. 4. & 5. P. and M. 5.

Sealing of
cloth which
lacketh length,
waight, breadth

48 **I**f any searcher or sealer appointed by the foresaid statutes of 5. Ed. 6. & 4. & 5. P. & M. shal set the seale of the Citie, Borough, or towne corporate, to any cloth which shall not containe such length, waight and breadth, as in the sayd statutes is appointed, then the corporation of the towneship, where such cloth, kersey, frize, cotton or rugge shalbe so sealed, shall forfeit the whole value of the cloth so sealed, 4. and 5. P. and M. 5.

Sealing of
cloth not suffi-
ciently died,
dyessed,
wrought.

49 **I**f any of the searchers aforesaid, shall set the Seale of any Citie, Borough, Towne corporate, or port Towne to any coloured cloth which shal not be sufficiently dyessed, dyed, pressed and wrought, as is aforesayde, Then the corporation of the Towneship, where such cloth shal so bee sealed, shal forfeit the whole value of the cloth so sealed. 5. Ed. 6. 6.

Overseers ap-
pointed by the
Justices.

50 **I**n euery Towne, Village or hamlet, being not corporate, where any cloth shal be made or sold, the Justices of peace, of the same shire where any such towne, village, or hamlet is, or two of them at the least,

least, shall haue full power once every yeere to call before them, by their precept or otherwise. 2. 4. 6. 8. or more as they shall thinke good, of the most honest, discrete and indifferent men of every such towne &c. and them shall appoynt to bee ouerseers for one whole yeere then next following within the towne, village or hamlet, where the same ouerseers shall be dwelling, charging them vpon their othes &c. that they do endeouour themselves for that yeere, as much as in them shall lie, to see that the stat. of 3. E. 6. provided for the true meaning of wollen clothes, be truly obserued within the limits of their charge, in euery part thereof. 3. Ed. 6. 2.

51 ¶ The same ouerseers, or two of them, shall euery quarter of the said yeere at the least, or so often as need shall require by their discretions, visite and go into euery clothiers, drapers, clothworkers, dyers, and pressors houses, shops, and other places, where cloth or dyed wooll shall bee, and there make due search, and view the clothes and woolls made or died, or remaining to be sold, & to search & trie, whether the sayd clothes be drawen, or strained, or falsly died. 3. Ed. 6. 2.

The authority of ouerseers.

52 ¶ If any of the said persons so commanded to appeare, to be made ouerseers, hauing no reasonable excuse, do refuse to come and to take vpon him to be an ouerseer, Then euery such person shall forfeite for euery such refusing xli. s. to the Queene and to the Iustices of peace by whom he was commanded to appeare, or to bee an ouerseer, and shall remaine in the ward of the shirife vntil he hath paid the same forfeit. or otherwise put in sufficient band for the satisfactiō of the same. 3. E. 6. 2.

The forfeiture of them which refuse to be ouerseers.

53 ¶ And if the same ouerseers, or two of them at the least, do not once euery quarter of the yeere make due search for the true executing of this statute, then euery of the said ouerseers shall forfeite for euery such default xli. to the Q. and J. &c. to be recovered by A. J. &c. wherein no W. &c. E. P. &c. 3. Ed. 6. 2.

The punishment of the ouerseers which doe not make search.

54 ¶ And if the same ouerseers shalbe interrupted, and not suffered to enter into the said houses, shoppes, or other places, where any such clothes, or woolls shalbe made or died, or any other of the said defaults shalbe committed, there to make search for the better executing of this statute, Then euery one that so shall make any such interruption, shall forfeite xxli. to the Queene and to the said ouerseers, to whom any such interruption shalbe made, to be recovered by A. J. &c. wherein no W. &c. E. P. &c. 3. Ed. 6. 2.

The forfeit of them which interrupt the ouerseers.

55 ¶ Provided that no person shall take any aduantage of any sayde forfeitures, by reason of this statute of 3. Ed. 6. vnles he do commence his suite within one yeere next after the said offences and forfeitures committed. 3. Ed. 6. 2.

Within what time that suite shalbe commenced.

Draperie.

The clothiers
marke.

56 ¶ Every clothier shall weaue, or cause to be wouen his sene-
rall token or marke, in euery cloth, kersey and other clothes whatso-
euer they be, made to be vttered and sold, and when any cloth shall be
readie made and dressed to be put to sale, euery of the same clothiers
shal set his seale of lead vnto euery of them, in which seale shalbe con-
tayned the iust length of euery of the same clothes or kersyes, as it
shalbe found by euery buyer of the same, vpon due prooofe thereof to
be tryed by the water. And in case vpon any such prooofe to be made
by any buyer of them at the water, there shalbe found lesse content in
length then is contained in euery of their said seales, Then euery of
the said Clothiers shall forfeite vnto euery such buyer of the same the
double value, of so much cloth as shall want of his sayd content in
length, at the onely sight and iudgement of any two indifferent per-
sons that shall measure the same, And euery Clothier putting his
cloth to sale, before it shall be sealed by the Aulneger, and marked in
forme aforesaid, shall forfeite his cloth to the Q. and J. to be recoue-
red by Accion, Information, &c. wherein no Wager &c. esloigne, pro-
tection &c. 27. H. 8. 12. S. 34. 35. & Quere whether the Clothier shall
forfeit the double value, or the cloth, or both.

Aulnegers
seale.

Quere.

No clothier
shall vse an o-
thers marke.

57 ¶ No person shall vse any marke vpon his clothes such as an
other doeth, & hath vsed before him, vpon paine of forfeiture of euery
of the sayd clothes, to the Queene and to him that will seise them. 5.
H. 8. 2. 6. H. 8. 8.

Faulty cloth.

58 ¶ If any cloth or kersey through the default or negligence
of the carders, spinners, or weauers, shall proue eyther pursie, cock-
ley, bawdy, squally or rowy, by warpe or woofe, or els shall happen to
be euill burled or wasted in the mil, or els through the default of the
mill man, or otherwise to be full of holes, mylbakes, or to be holy,
then the maker thereof shall fixe vnto euery ende of the sayd cloth or
kersey, so being defectiue and faultie, and offered to be sold, one seale
of lead, in the which seale shalbe ingraued this woorde (faulty) vpon
paine of forfe. of such cloth or kersey, or the value thereof, so offered to
be sold, whereunto such seale shall not be set, 4. and 5. H. and H. 5.

Faulty cloth
transported.

59 ¶ If it shall fortune any marchant to transport any clothes,
kerseys, frysces or cottons, wherunto the seale with this woord (Faulty)
was not annexed at the time of the sale thereof, by the Clothier, and
the same so transported, or any of them to bee found faultie or defec-
tiue, and the same marchant thereof within two yeeres after such sale
to bring a certificat sealed with the seale of any towne, or company in
the parties beyond the seas, or signed by a notarie there, after the ac-
customed maner, declaring thereby the losse which the marchant
shall

shall haue suffeyned by such defectiue and faultie cloth so transported, Then the clothier or other person of whome the cloth was bought, their executors or administrators, shall within sixe weekes, next after request made by the sayd marchant, his executors, administrators or assignes, truly pay to such marchant, his executors, administrators or assignes, euery such summe of money as shall so be declared in the sayd certificat, vpon payn of forf. to the partie grieved for euery non payment vpon such request, double the value of such summe mentioned in the said certificat. But such marchant shall not haue by vertue of this act, any recōpence for lacke of length, bredth, or waight of any cloth, whereunto the seale of any Citie, Borough or towne corporate shall be fixed. 4. & 5. H. 8. c. 5.

60 ¶ The wooll which shall be deliuered, for, or by the clothier to any person, for breaking, keimbing, carding or spinning of the same, shall be by euen, iust, and true pois and weight of haberdepois sealed by authoritie, not exceeding in waight after the rate of twelue pound seimed wooll, aboue one quarter of a pound for the waste of the same wooll, and in none other maner. And the breaker or keimber shall deliuer againe to the same Clothier the same wooll so broken and kempt, and the Carder and Spinner shall deliuer againe to the sayd Clothier, parne of the same wooll by the same euen pois and waight (the waste thereof excepted,) without any part thereof concealing, or any more oyle, water, or other thing put thereunto deceiuably, vpon paine to forfait to the lord of the leete, within the precinct whereof such default is done, for euery such default xii. d. vpon due prooffe of such deceit, before and by discretion of the Mayor, bailie, or other head officer of the Citie, Borough or Towne where the deceit shall appeare, calling to him such persons, as shall seeme to him conuenient for the prooffe of such deceit. 6. Hen. 8. c. 9.

The waight of the wooll deliuered by the clothier to the carders & spinners, & by the redeliuered.

61 ¶ Euery person occuppying the trade of buying and selling of welsh cloth and lynnings, within the Towne of Shrewesbury in the countie of Salop, which doth deliuer the same to be cottoned, fryzed, dyessed or wrought, to any Sherman, Cottoner or fryzer, and doth not pay to the same Sherman or &c. ready money for all his sayd worke, without any colour, fraud, or ingin whatsoever, and without ware or other thing in satisfaction of his sayd worke, or any part thereof, shall lose all his liberties & freedoms of the fraternitie of Drapers, & for euer after be excluded and disabled by himselfe or any other for him to occupie or enioy the trade of buying and selling of welsh clothes or lynnings. 8. El. 7. 14. El. 12.

Deceitfull of welsh cloth, shall pay the Shermen ready money.

62 ¶ No person which shall buy to sell againe by way of retail

Draperie.

No retailer of
linings, frizes,
or cottons,
shall worke
the same.

of taile or otherwise, any welsh linings, shall dresse or worke, or cause to be dresed or wrought, within his dwelling house, or in any other places, any of the said welsh linings, but shal put the same to some such person as shalbe of the science of Sheremen, Cottoners, or Frizers, to be by them wrought and dresed, vpon paine of forf. for euery welsh cotton, or lining frized, or cottoned to the contrary vi. s. viii. d. 4. & 5. P. and H. 5. & if any person dwelling within y^e towne of Shrewsbury in the Countie of Salop, or the liberties of the same, vsing the trade of buying of Frizes, Cottons or Plaines, doeth exercise the facultie of frizing or cottoning, he shal forf. for euery peece vi. s. viii. d. to the Q. and J. &c. to be recouered by A. J. &c. Wherein no W. C. P. &c. 8. Cl. 7. 14. Cl. 12.

Haire, flockes,
lambes wool.

63 ¶ No person shal put any haire, flockes, or any yarne made of lambes wool into any cloth, kersey, frize, or cotton so made & sold, or offered to be solde, vpon paine to forf. euery such cloth, kersey, frizes and cotton wherein any such yarne, haire, or flockes shalbe put, or the value thereof, to the Q. & J. to be recouered by A. J. &c. wherein no W. C. P. &c. 5. Ed. 6. 6. The foresaid branche made Anno 5. Ed. 6. which prohibiteth the putting of beare, flockes or yarne made of lambes wooll into any cloth or frize, hauing regard vnto the clothes called Playne white straights and pinned white straights, shall be repealed and made voyde. And it shalbe lawful to al and euery the Queenes subiectes, inhabiting or which shall hereafter inhabite within the counties of Deuon and Cornewall, as well in Townes corporate, market Townes, or els where, to weaue and make the sayde clothes called Playne white straights, and Pinned white straights, and to vse and occupie in making of the sayde clothes, flockes, beare, and yarne made of lambes wooll, and to haue, keepe and vse in his and their houses, thre loomes and not aboue, for making of the clothes aforesayd: and to make the same clothes of such length, weight and breadth, as the Marchant shall like or accept to buy the same for marchandizes, or appoynt the same to be made for the vse and most acceptable allowance of the countrey people where the same shalbe transported for marchandizes, for that in trueth none of the same are worne or occupied within this Realme: The sayde statute made Anno 5. Ed. 6. or any other lawe or statute, &c. notwithstanding. Prouided alwaies, that in defrauding of the Queenes custome, no picce of the said clothes shalbe made aboue xii. pound in weight, or aboue xiii. yardes in length, or one yarde in breadth, vpon paine of forfaiture of all such clothes made ouer and aboue the saide length, breadth or weight, or the value thereof to the Q. and J. to be recouered in any

The length,
breadth and
wright of
plaine and
pinned
straights.

any court of record, by W.B. P. or J. wherein no W. C. P. &c.
27. Cl. 18.

64 ¶ No person shall straine, or cause to be strained any cloth, ^{Straining or stretching of cloth.} about one yard in length, & one halfe qz. in bredth, vpon paine to forfe. for euery such default v. li. And no person which shall haue or occupie any tentour, shall haue or occupie any wench, rope, or ring with the same tentour, or shall vse any other engin, vnlawfully to straine, or stretch any cloth, vpon paine that euery offendour, that shall vse or occupie any tentour, or other engin to the contrary, shall forfe. xx. li. to the D. & J. to be recouered by A. J. &c. wherein no W. C. P. &c. 5. Ed. 6. 6.

65 ¶ No person shall presse any kinde of cloth, with the hote ^{Pressing of cloth.} presse, or in any other kinde of deceiueable maner, but onely with the cold presse, vpon paine of forfe. of the whole cloth so pressed, or the value thereof, to the D. and J. to be recouered by A. J. &c. wherein no W. C. P. &c. 5. Ed. 6. 6.

66 ¶ No person shall boyle, or cause to be boyled, any woolles to ^{Boyling of wooll.} be conuerted into any kinde of broad cloth, or kersey, with any kinde of gaules, rindes, barkes of trees, or sawdust, vpon paine to forfe. all such wooll or the value thereof, to the D. and J. to be recouered by A. J. &c. wherein no W. C. P. &c. 5. Ed. 6. 6.

67 ¶ No person shall adde vnto any cloth, any counterfaite list ^{Lists of cloth.} like vnto the making of Cockfall, Bocking, or Baintrey clothes, commonly called handy warpes, except the warpe thereof be sponne vpon the distaffe, vpon paine of forfeiture of the same cloth, or the very value thereof: But the clothmakers within the citie of Worcester may make such lists as they haue done heretofore. 4. & 5. P. & M. 5.

68 ¶ No person inhabiting within the Westriding in the Countie of Yorke, shall make, or cause to be made any broad clothes, called ^{Clothes made in the Westriding in Yorke-shire.} Pewkes, Tawies, Violets, or Greene, except the wooll thereof, (before it be conuerted into yarne) be first dyed, litted, and coloured, with the colour blewe, of the value of ii. d. a pound, vpon paine of forfe. of euery such coloured cloth, whereof the wooll shall not be first dyed, &c. or the value thereof, to the Queene and Informer, to be recouered by Action, Infourmation &c. wherein no W. C. P. J. &c. 4. & 5. P. & M. 6.

69 ¶ Welsh Clothes called Whites, Russlets, and Kennettes, ^{Folding of welsh cloth.} made in Northwales, and Dycester hundred, that shall be brought to any common markets or faires to be vttered and solde, shall be foulded either in plaits, or cuttell, as the clothes of all other Countreies of this Realme are vled, to the intent the buyers may perceiue the

Draperie.

the breadth and goodnesse thereof, vpon paine of forfaiture of euery piere brought to any market or sayre to be solde contrary to the forme aforesayd, to the Q. and J. to be recouered by A. J. &c. wherein no
W. E. P. &c. 33. H. 8. 3.

Colours of
cloth.

70 ¶ No person shall put to sale within the realme of England, any coloured cloth of any other colour, or colours, then scarlet, red, Crimson, Purpury, Violet, Pewke, Browneblew, Blacke, Greene, Yellow, Blewe, Dichtawny, Russet, Marble, Gray, Sad Newe colour, Azurie, Wlatched, Sheepes colour, Lyon colour, Hotley, Iron gray, Friers gray, Crane coulour, Purple, and olde Medley colour, most commonly vled to be made aboue and befoze xx. yeeres last past 4. and 5. H. and H. 5.

Dying of
stiches.

71 ¶ No person occuppying the feat of dying, shall die, or alter into colours, or cause to be dyed, &c. any wollen clothes, as Browneblewes, Pewkes, Tawnies, or violets, except the same be perfectly boyled, Grayned, or maddered vpon the Load and shot with good and sufficient cooke or orchall, after a due, substantiall and sufficient maner of workmanship, according to the auncient workmanship in time past vled, vpon paine for euery default to forfe. xx. s.

Dying of wooll.

person shall die any wooll to be conuerted into cloth, called russets, musters, marbles, Grayes, rayes and such like colours, or to be conuerted and made into hattes, or cappes, vnlesse the same wooll be perfectly woaded, boyled and maddered, according to the true and auncient vsage, vpon payne of forfaiture for the false dying of euery such cloth, or of as much wooll as shall serue for the making of euery cloth contrary to the true meaning hereof, fourtie shillings. Nor shall dye with brasell to the intent to make a false colour in cloth, nor wooll hattes nor cappes, vpon payne for euery default to forfeite twentie shillings. 3. Ed. 6. 2.

Iron cardes,
pickardes.

72 ¶ No person shall occupie any yron cardes, or pickardes in rowing of any set cloth, or any maner of wollen cloth, vpon payne to forfeite as wel the sayd yron cardes and pickardes, as also the summe of twentie shillings for euery such offence. 3. Ed. 6. 2.

Gigge milles.

And if any person occupie any Giggemill for the workmanship of any wollen cloth, he shall forfeite for euery cloth wrought in or by any of them v. li. 5. Ed. 6. 22.

Measure of
cloth.

73 ¶ No person shall sell any cloth by any lesse measure, then after the true content thereof, to bee moten and measured by the parde, adding to euery parde one ynche of the rule. 6. Henrici 8. 9. 3.

Buying of co-
loured wool
and parne.

Ed. 6. 2.

74 ¶ No person shall buy any coloured wool, or coloured wool-
len

len yarne of any Carder, Spinner, or Weauer, but onely in open market, vpon payne of forfeiture of such wooll and yarne so bought, to the Queene and I. to be recovered by A. I. &c. wherein no W. C. P. &c. 6. H. 8. 9.

75 ¶ No person vsing the feate of Cloth making, and dwelling out of a Citie, Borough, market Towne, or corporate Towne, shall haue in his house or possession, aboue one woollen loome at one time, nor shall directly or indirectly, take any commoditie, by letting any loome, or any house wherein any loome shalbe occupied which shall be together by him let, vpon paine of forfeiture for euery weeke that any person shal doe contrary xx. s. to the Q. & I. to be recovered by A. I. &c. wherein no W. C. P. &c. 2. & 3. P. & H. 11.

A clothier shall haue but one woollé loome.

76 ¶ No woollen weauer vsing the feate of weauing, and dwelling out of a Citie, Borough, market Towne, or Towne corporate, shall haue or keepe at one time aboue two woollen loomes, or receiue any commoditie by any moze then two loomes at one time, vpon paine to forfeite for euery weeke that any person shall doe to the contrary xx. s. to the Q. and I. to be recovered by A. I. &c. wherein no W. C. P. &c. 2. & 3. P. & H. 11.

No Weauer shall keepe aboue two loomes.

77 ¶ No person which shall occupie onely the mysterie of a weauer, and not clothmaking, shall (during the time that hee shall vse the feate of a weauer) haue any Tucking mil, or shall exercise the feate of a Tucker, Fuller, or Dier, vpon paine to forfeit for euery weeke that he shall so doe, xx. s. to the Q. & I. to be recovered by A. I. &c. wherein no W. C. P. &c. 2. & 3. P. & H. 11.

No Weauer shall be a Tucker.

78 ¶ No person which shal vse the feate of a Tucker, or Fuller, shall during the time that hee shall so vse the saide feate, haue any loome in his house or possession, or shall directly or indirectly take any profite by the same, vpon paine to forfeite for euery weeke xx. s. to the Q. and I. to be recovered by A. I. &c. wherein no W. C. P. &c. 2. and 3. P. and H. 11.

No Tucker or Fuller shall keepe a loome.

79 ¶ It shall not be lawfull for any person to set vp þe mystery of weauing, vnlesse the same person haue bene apprentice to the same mysterie, or exercised the same by the space of seuen yeres at the least, vpon paine of xx. pound to be forfeited to the Q. and I. to be recovered by A. I. &c. wherein no W. C. P. &c. 2. and 3. P. & H. 11. And whosoever shall weaue or make, or put to weauing or making, woollen cloth, long or short kerseies, pinned whites, or plain straites, vnles he hath bene apprentice to the occupation of making, weauing, and rowing of cloth or kersey, or haue bene exercised therein by the space of vii. yeres before, shall forfeite such cloth or the value thereof to

A man shall be a weauer but which hath bene apprentice.

Draperie.

Loomes kept
in þe counties
of York, Cum-
berland, North-
umberland and West-
merland.

The weauer
shall put into
the cloth al the
parne, or res-
tore it.

None shal oc-
cupie clothing
but where it
hath bene used
&c.

Inhabitants
at the time of
the statute.

Places excep-
ted.

the Queene and A. &c. 4. & 5. P. & M. 5. But this Act of 2. and 3. P. & M. is not prejudiciall to any persons dwelling in the Counties of Yorke, Cumberland, Northumberland, and Westmerland, but euery of them shall and may keepe loomes in their houses, and exercise euery thing concerning spinning, weauing, cloth working, and cloth making in the said Counties, as they might haue done lawfully before. 2. & 3. P. & M. 11.

80 ¶ The weauer which shall haue the weauing of any woollen parne to be webbed into cloth, shall weaue, worke, or put into the webbe for cloth, to be made thereof, as much and all the same parne, as the Clothier or any person for him shall deliuer to the same weauer, with his vsed marke put to the same, without changing, or any part thereof leauing out of the same webbe, or els shall restore to the same Clothier the surplussage of the same parne, if any shall be left not put into the same webbe, and without any more oyle, broome, moysture, sande, dust, or other deceiuable thing putting to the same webbe, vpon paine to forsaite for euery default iii. s. iii. d. to the A. and Informer, to be recovered by A. J. &c. wherein no W. E. P. &c. 6. W. 8. 9.

81 ¶ No person shall vse the mysterie of making, weauing, or rowing of wollen clothes long or short, or kerseyes, pinned whites, or plaine straites, to the intent to put the same to sale, but onely in a market towne, where cloth hath commonly bene used to be made by the space of x. yeres last past, viz. (before 20. Ianuarii, An. Do. 1557.) or in a Citie, Borough, or Towne corporate, vpon paine of forf. for euery such wollen cloth, or kersey made, wouen, or rowed out of such Citie, Borough, or Towne corporate, or Market Towne, five pound to the A. and J. to be recovered by A. J. &c. wherein no W. E. P. &c. 4. & 5. P. & M. 5.

82 ¶ But it shalbe lawfull to any person now (viz. at the making of this Act) vsing the feate of making, weauing, or rowing of cloth or kersey, to inhabite where he nowe doeth, and there to vse the making, weauing, or rowing of cloth or kersey, as he hath done heretofore. 4. and 5. P. and M. 5.

83 ¶ And it shall be lawfull to euery person, which doe, or shall dwell in any of the shires of North Wales, South Wales, Cheshire, or Lancashire, Westmerlande, Cumberlande, Northumberlande, Bishopricke of Durham, Cornewall, Suffolke, Kent, the towne of Goddlemine in the countie of Surrey (or Dorsetshire, being not within twelue miles of the citie of Yorke) or in any the townes or villages neere adioyning to the water of Stroude in the Countie of

of Gloucester, where cloth hath bene vsually made by the space of xx. yerres last past, and hauing bene prentice to the occupation of cloth making, or exercised in the same by the space of seven yerres, to set vp, and exercise the feate of making, weauing, or rowing of cloth, out of a citie, borough, or market town, as heretofore they might haue done. 4. & 5. P. & M. 5.

84 ¶ No person shall make, or cause to be made within the shire of Worcester, any woollen clothes to be solde, except onely such persons as shalbe dwelling within the citie of Worcester, the boroughes and townes of Evesham, Droitwich, Kederminster, and Bromesgroue within the said countie of Worcester, or in any one of them, vpon paine of forfaiture for euery broad cloth made by any person, contrary to the meaning of this Act, forty shillings to the Queene and Infourmer, to be recouered by Accion, Information, &c. wherein no W. E. P. &c. But this Act shall not be preiudiciall to any persons for making any clothes for their owne, their childe or their seruants wearing. 25. P. 8. 18.

Worcester
shire.

85 ¶ It shalbe lawfull to euery such person which dwel in Bocking, Westbarfold, Cockshal, and Dedham in the county of Essex, or in any of them, that shall exercise the feate of making, weauing, or rowing of cloth or kersey, by the space of seven yerres at the least, or haue bene prentice thereto by the saide space, to dwell in any of the said townes or villages, and to vse the making, weauing, or rowing of cloth or kersey, as befoze this time they might haue done, if the said act of 4. and 5. P. & M. had neuer bene made, any lawe &c. notwithstanding. 1. El. 14. And it shall bee lawfull to and for all and euery such person or persons which now doe inhabite or dwell, or that hereafter shall inhabite or dwell in the townes or villages of Bostead & Langham in the Countie of Essex, now vsing or exercising, or that hereafter shal vse or exercise the feate or mysterie of making, weauing, or rowing of cloth or kersey by the space of vii. yerres at the least, or haue bene, or shalbe hereafter prentice thereunto by the space of seven yerres, to inhabite & dwell in the said townes or villages of Bostead & Langham, & there to vse the making, weauing or rowing of cloth or kersey, as befoze the making of the said statute of 4. & 5. P. & M. they might haue done, and as the said act had neuer bene had or made, Any thing in the saide Act, or any other act &c. notwithstanding. 27. El. 23.

Bocking,
Westbarfold,
Cockshal,
Dedham.

Bostead and
Langham in
Essex.

86 ¶ An. 18. El. 15. the foresaid branch of the said statute made 4. & 5. P. & M. as touching onely the vse of the mysterie of making, weauing, or rowing of wollen clothes, to the intent to put the same

Somerset.
Wiltshire.
Gloucester.

Draperie.

to sale but onely in a market Towne, Citie, &c. and all penalties &c. by reason of the said branche, as against any persons exercising the saide mysterie, &c. within the Counties of Somerset, Wiltshire, and Gloucester, or any of them, be repealed and made voyde. But euery person being by this Statute allowed to exercise the saide mysterie &c. not being by the former Stat. (made 4 & 5. P. & M. 5.) allowed thereunto, shalbe subiect vnto such search, forf. and other orders, as other persons dwelling out of boroughs and townes corporate, allowed of by the said former act, or any other statutes, were subiect vnto before the making of this act, 18. El. 15.

Inhabitantes
at the tyme of
the statute.

87 ¶ No person dwelling or abiding within any of the saide Counties of Somerset, Wiltshire, or Gloucester, shall vse the sayde mysterie of making, weauing, or rowing of any wollen clothe out of any Citie, Borough, towne corporate, or market towne, except onely within such houses and places in the sayde Counties, as such wollen clothes haue bene most commonly vsed to be made, wouen or rowed, by the space of tenne yeeres next before the making of this Act (being 8. Februarii, Anno Domini, 1575.) vpon payne of forfeiture for euery such cloth made, wouen, rowed, &c. v. li. to the Queene and J. 18. El. 15.

Howe much
land a clothier
may keepe in
his occupatio.

This worde
(now) is to be
construed at
the tyme of the
Stat. made.

88 ¶ Such person as shall vse the trade of cloth making in any of the houses and places where woollen clothes haue bene most commonly vsed to be made, wouen or rowed by the space of x. yeeres next before the making of this Act (being 8. Februarii, Anno Do. 1575.) within any of the Counties of Somerset, Wiltshire and Gloucester, out of a citie, borough, towne corporate or market towne, which now doeth not vse the said trade, shall not keepe in his occupation or manurance aboue xx. acres of lande, medowe, and pasture at the most. And euery person now vsing the said trade, out of a Citie, Borough, towne corporate or market towne within any of the saide Counties, shall not take into his occupation or manurance any lande, medowe, or pasture, but that which hee now hath, or as much onely in lieu thereof, vpon paine of forfeiture for euery acre of lande, medowe, and pasture by such person occupied or manured, contrary to the tenure of this act, for euery yeere that he shall so occupie the same, and so vse the trade of cloth making, vi. s. viii. d. to the Queene and Infourmer. 18. El. 15.

The rents of
clothiers houses
in Worcester
Here shire.

89 ¶ The Lords & owners of the meases, tenements or cotages within the Citie of Worcester, or any of the Boroughs or townes of Evesham, Droitwich, Reddyminster and Bromesgroue, shall at no time let any mease, tenement or cotage sufficiently repayred with-
in the

in the said Citie, Boroughs, or Townes, to any person that shall inhabite in the saide Citie, Boroughs, &c. and exercising the mysterie of clothing at any higher rent, imposition or charge, then was giuen for the same at any time within twenty yeeres next before the making of this Act, (being 25. die Ianuarii, Anno Domini 1533.) 23.H.8.18.

90 ¶ The Queenes Aulneger shall be sworn to do his office wel and lawfully, and in case he thereof be found in default, and attainted before the gouernours of Fayres, Maiors or Bailifes of the places where the cloth shall be bought, or before any other whō the Queene shall assigne, he shall be one yere imprisoned, raunsomed at y^e Quenes pleasure, and put out of his office for euer, and he that will sue, shall haue the one halfe. And the Aulneger shall answere aswel for his Deputies, as for himselfe. 25.Ed.3.1. Aulneger sworn.

91 ¶ The Treasourer of England, or his Deputie, shall appoint no person to be Aulneger, Sealer or keeper of the Seale, appoynted for the sealing of clothes in any part of this Realme, but such as bee expert in the making of cloth, and worth a £. pound at the time of the saide deputation. 1.R.3.8. The Aulneger shall be expert, and worth a £. pound.

92 ¶ The Treasourer of England for the time being, hath auctoritie to let to ferme the Subsidies and Aulnage of clothes which ought to be sealed vnto persons (which be no strangers borne. 1.R.3.1.) willing to haue the same to ferme, by sufficient suretie, and the farmors shall haue the one halfe of all the forfeitures of all the clothes and peeces of clothes set to sale not sealed with the said Seales, to their owne vse, paying therefore, and for the said Subsidie and Aulnage to the Queene at her Eschequer such yerely summe of money, as shall be agreed betwixt the Treasourer and them, and to be accōptants to the Queene of the other halfe of the said forfeiture at the said Eschequer. 17.Ed.4.5. Aulnage let to ferme.

93 ¶ If any Clothier doe put any Cloth or Kersey to sale, before he shall haue payde to the Aulneger or his deputie, the accustomed fee, or agree for the same as he hath beene accustomed, he shall forfeite for euery default twenty shillings to the Queene and Informer, to be recovered by Action, &c. wherein no W. E. P. &c. 5. Ed. 6.6. And if any person making any whole coloured cloth, Dozens, or Clothes of Ray, doe folde or take the same together, before the Aulneger hath duely searched or surueyed y^e same, that they holde their length and breadth, ordeyned in the Statutes therefore provided, hee shall forfeite the same. And the Aulneger which putteth the Seale thereunto ordeyned, to cloth which is not of Aulse, shall forfeite No cloth shall be solde before the Aulneger's fee be payd.

Draperie.

at the first default tenne pound, at the second twenty pound, and at the third his body shalbe arrested, and his goods at the Queenes pleasure. 11. H. 4. 6. But y^e Marchants which do buy the same cloth to carry out of the Realme, may folde them together, for the more easie carriage of them. 13. R. 2. 11.

Cloth made within y^e said Countie onely shalbe sealed.

94 ¶ No Aulneger, Sealer, or keeper of the Seale appointed for the sealing of cloth, shall seale any whole clothes, halfe clothes, straites, or kerseyes, but such as shalbe onely made within the Countie, Citie, Borough or Towne where he shall be deputed Aulneger, sealer or keeper, vpon paine to forfait to the Queene for euery such whole cloth contrary sealed, threepound sixe shillings eyght pence, for euery halfe cloth, thirty thre shillings foure pence, for euery strait, twentie shillings, and for euery kersey tenne shillings. 1. R. 3. 8. S. 4. & 5. P. & M. 5.

No cloth solde before y^e Aulneger & owner haue set their seale & marke.

95 ¶ Euery clothier putting any clothes to sale, before they shall be sealed by the Aulneger of the said Countie, where any of them be made, or before the sayde Clothier hath wouen his seuerall marke in the said clothes, and hath set his seale of lead conteyning y^e length of the same clothes, shall forfait his clothes to the Queene and Informer, to be recovered by A. J. & c. wherein no W. E. P. & c. And if the Aulneger of any Countie doe seale any of the said clothes with the Queenes seale, vntil such time as they be ordered and sealed with their contents in forme aforesaid, he shall lose his office. 27. H. 8. 12. But all cloth made to be solde within the Citie of Worcester, the Townes of Droitwich, Evesham, Rederminster, and Bromsgrau, in the Countie of Worcester, shalbe sealed with the seale of the searchers there, and the owners shall not be compelled to put their owne seales to any clothes there made. And the searchers shall haue for the searching and sealing of euery cloth i. d. and not aboue. 25. H. 8. 18. 27. H. 8. 12.

No sealing of tacked cloth.

96 ¶ If any Aulneger, or Collector of the subsidie of clothes, do set his seale to any cloth, hauing the pieces tacked & set together with threedes, the same cloth shalbe forfeited to y^e Queene, in whose hands soener it be found. And also the Aulneger or Collector found guilty, shall forfait his office. 3. R. 2. 2.

Faulty cloth sealed.

97 ¶ Though cloth, through the default of the carders, spinners, or weauers, doe prooue either purfie, baudie, or squally, by warpe or woofe, or els happen to be cuil burlid, or wasted in the mil, or through the negligence of the Milman, or otherwise to be full of holes, milbrakes, or hooly, yet the Aulneger shall set his seale to such cloth, and the accustomable fees shalbe paid to the Aulneger, vpon paine of forfait

forfaiture of such whole cloth, or the value thereof. 5. Ed. 6. 6. 4. and 5.
P. & P. 5.

98 ¶ The Aulneger shal take for euery cloth that is measured; The Aulnegers fee. which is of assise, of the seller, ob. & of the halfe cloth qz. for his office and no more, And he shal take nothing for clothes which be lesse then a halfe cloth, nor shal meddle with y^e measuring of any cloth, but onely with the clothes which are to be sold, And such clothes, the which shal be put to sale, before they be sealed with the said seale, shalbe forf. to the Queene &c. and seised into their hands by the Aulneger or his deputie, or otherwise by the baylife of the towne where such clothes not sealed, shalbe found. 27. Ed. 3. 4.

99 ¶ If the Aulneger or keeper of the seale, do refuse to shew his The Aulneger shal shew his commission. commission of his office, to any person desiring the same, vpon the sealing or measuring of any broad clothes, straites, or kerseis, and that examined and duely proued, he shal forf. xx. s. 4. Ed. 4. 1.

100 ¶ The Aulneger in Wales by himselfe, or his sufficient deputie or deputies, shal in all things to his office appertaining doe and answere in euery case, according as euery other Aulneger, in the Realme of England ought to doe. And for the contrary exercising of the said office, shal in euery case suffer, as by the lawes and statutes is ordeined for Aulnegers vnder the Lord Treasourer of Englande. 34. H. 8.

101 ¶ No person shal sel or put to sale, within the Countie of Lancaster, or cary or cause to be caried out of y^e said County any kinde of Clothes, Cottons, Frizes or Rugges, made within y^e said County to be solde, before the owner or maker of euery such cloth, &c. shal put to the same one seale of lead, hauing the marke of euery such owner or Clothier, ingraued on the one side thereof, and the true length of euery such cloth, frize, cotton or rugge, as it is found being wette, to be ingraued on the other side of y^e said seale. And also the Queenes Aulneger of the said Countie Palantine for the time being, vpon tryall of the weight of euery such Cotton, Frize, and Rugge, shal fixe or cause to be fixed to euery such Cotton &c. the Queenes seale of Lead, hauing the Portculleis crowned, ingraued on the one side thereof, and the true weight of euery such Cotton, Frize or Rugge to be ingraued, on the other side of the said seale, vpon paine of forfaiture of all and euery such Clothes, Cottons, Frizes, and Rugges conueyed, caried, sent, sold, and put to sale, or to the intent to be solde, being vnsealed contrary to the meaning of this Act, to the Queene and to such persons, as shal sease, or will sue for the same Cloth, &c. to be recovered by Action, Information, &c. wherein no Wager, E. P. &c. The owners marke set to clothes in Lancashire. The Aulnegers seale.

Draperie.

But this Act shall not be prejudiciall unto any Charter, or libertie of any Borough, or corporate Towne within the said Countie Palatine of Lancaster, concerning the making and putting to sale of any woollen cloth, 8. El. 12.

The Aulneger's deputies.

102 ¶ The saide Aulneger shall haue his lawfull deputie within euery of the seuerall Townes of Manchester, Rochdale, Bolton, Blackeborne and Berie, in the same Countie where the sayd Aulneger hath bene accustomed to haue his Deputie heretofore, there to be readie vpon lawfull request vnto him made without delay, to waigh euery of the sayde Cottens, Frizes, and Rugges, as shalbe brought vnto him, and sealed with the seale of the owner or maker thereof, and to set to euery of them the Queenes Seale ingraued in maner and fourme aforesayde, vpon payne of forfeiture of twentie shillings for euery pack of Cottens, Frizes or Rugges, sealed by the said Aulneger or any of his sayde Deputies, before the same bee waighed in fourme aforesaide, to the Queene and Informer, to bee recovered by A. J. &c. wherein no Wager, E. P. &c. And it shall be lawfull for the sayde Aulneger or his Deputie, to take of the owner or maker of euery of the sayde Clothes, Cottens, Frizes or Rugges, for the waying and sealing of euery packe of them, thre pence, and for euery piece of such course Clothes, cottons, Frizes and Rugges, not amounting to a whole packe, ob. and the same to bee payed by the owner or bringer of the sayde Clothes at the waighing and sealing of the same. 8. Eli. 12.

The Aulneger's fees in Lancashire.

Transporting of cloth.

103 ¶ No person, English, Denizen, or Stranger, shall transport or cause to be transported into any of the partes beyond the sea, any Cloth, Kersey, Frize, or cotton of the seuerall sortes before recyted in the statute of (5. Ed. 6.) vntlesse the Queenes seale, or Aulneger's scale of this Realme, and the seale of the owner or maker of the Cloth (declaring therein the length of the Cloth as it shall bee in the water) be set vpon euery such Cloth, vpon paine to forfeite euery such Cloth lacking the same seales or any of them, or the value thereof, to the Q. and J. to be recovered by A. J. &c. wherein no W. E. P. 5. Ed. 6. 6.

Of what value cloth caried ouer may be.

104 ¶ Euery white wollen cloth solde for foure pounds and vnder, and euery coloured cloth so sold for thre pound and vnder, may be caried beyond the sea there to be sold, at the pleasure of the buyers of the said cloth unbarbed, unshorne, and unrowed, any act &c. notwithstanding. 27. Hen. 8. 13. But no person shall cary or shippe, or cause to be shipped any white wollen cloth, aboue the value of foure pounce, or any coloured cloth aboue y^e value of thre pound unrowed, unbarbed,

bed, or vnshorne, to the intent to be conueyed into the partes beyonde the sea, vpon paine of forf. of the same cloth or the value thereof, to the Q. and J. to be recouered by action, information, &c. wherein no W. C. P. &c. 33. H. 8. 19.

105 ¶ No person shall carrie or cause to be carried beyond the sea, any wollen yarne, or cloth not fulled, but the wollen yarne which shall be wouen in this Realme, and also al cloth therein made shalbe fulled, and fully wrought within this Realme, before it be carped out of this Realme, vpon paine of forf. of the very value of all such yarne vnwouen, and cloth not fulled, carried out of this Realme to the Q. & J. &c. 7. Ed. 4. 3. S. 101.

Transporting
of wolle yarne,
or cloth not
fulled.

106 ¶ No person, straunger, nor other, shall conuey any wollen cloth ouer the sea, vnlesse the same cloth be before fully watered, vpon paine of xl. s. 1. R. 3. 8. S. 101.

Transporting
of cloth not
watered.

107 ¶ No person shall bring or cause to bee brought into the Realme of Englands, Ireland or Wales, any clothes made in any other place then within the sayd realmes (clothes taken by any of the Queenes liege people vpon the Sea without fraude onely except) vpon paine of forf. of the laide clothes, and further to bee punished at the Queenes pleasure. 11. Ed. 3. 3. 4. Ed. 4. 1. Nor any man vnder the estate of a Duke, Marques, Earle and their childe, and vnder the degree of a Baron, (except hee bee a Knight of the Garter) shall weare in any part of his apparell, any wollen cloth, made out of the Queenes dominions, except in Bonets onely, vpon paine of forf. of the same, and iii. s. iiij. d. for euery day that he shall weare the same. 24. H. 8. 13. S. Apparell. 3.

No clothes
wrought bes-
yonde the sea,
shalbe brought
into England.

Who may
weare clothes
wrought bes-
yond the sea.

108 ¶ For euery ix. clothes vnwrought to bee shipped or carried into any the partes beyonde the Seas, contrary to the forme of any statute in force, by force of any licence, the partie that shall shippe or carry the same, shall shippe and carry ouer also one like wollen cloth of like sort, length, bredth, and goodnesse, ready wrought, and dressed, by rowed, barbed, first coursed, and shorne, from the one ende to the other, so that euery tenth cloth passing ouer the Seas in forme aforesayd, shall be dressed within this Realme, before the same shal be shipped or transported ouer, vpon paine to forf. for euery such ix. clothes so to be shipped or transported, contrary to the meaning of this act, tenne pounde to the Queene, and the master and wardens of the company of cloth woorkers, to the reliefe of the poore of the laide company, to bee recouered by A. J. &c. wherein no W. C. P. &c. But euery such tenth cloth so to bee transported ready wrought, shall not bee accounted any of the clothes permitted to be transported by force of such

Clothes trans-
ported by li-
cence.

Draperie.

such licence, but that such person as shall haue such licence may transport according to such licence, the full number of clothes brought, mentioned in the same licence, ouer and aboue the number of such tenth clothes, which they shall be compelled to shippe, and carry ouer by force of this statute. 8. El. 6.

Kentish and
Suffolke cloth
shall not be
transported
brought,
by any licence.

109 ¶ No person shall shippe or carrie beyonde the Seas, contrary to the forme of any statute heretofore made, nowe remaining in force, any cloth commonly called Kentish cloth, or Suffolke cloth, made in the Counties of Kent or Suffolke brought and vnder-
sed within this Realme, that is to say, not rowed, barbed, first cour-
sed and shorne, vpon paine to forfeit, for euery such cloth so to bee shipped
or transported xli. s. to the Queene, and the master and wardens of
the company of Clothworkers, to the reliefe of the poore of the sayde
company, to bee recouered by Accion In. &c. wherein no W. C. P.
And no licence for transporting of any cloth, shall bee expounded to
extend to any such Kentish or Suffolke cloth, made in eyther of the
said Counties to bee transported. 8. El. 6.

The foresaid statute of 5. Ed. 6. repealeth all and euery Article, clause,
or sentence in any acte of parliament, therefore made, concerning
making, dying, dressing, pressing, searching, or sealing any of the
kinds of Clothes, broad or narrow, white or coloured Kerseys,
Fryzes, Rugges, or Cottons, in the said acte mentioned, and being
repugnant and contrarie to any article or sentence in the said statute,
And the statute of 8. El. 12. repealeth all & euery branch, clause, sen-
tence, and article specified and contained in any other actes of Par-
liament before that time made, concerning the sealing and making
of Lancashire Cottons, Frizes and Rugges. And therefore consider
diligently if any statute, article, branch, or sentence of any statute
made before, either of the foresaide statutes, and in this treatise ex-
pressed, be by the generall words of either of the said statutes repea-
led, as many other whole statutes and branches of statutes be, which
here are omitted, But I suppose there is nothing repealed, which in
this title of Draperie is contained, Attamen Quære.

Quære.

1 That Aliens not being Denizens shall make no cloth nor put
any wooll to worke to make cloth. S. Aliens.

Dying. Dyers.

Logwood and
Blockwood
shall be burned.

¶ All Logwood alias Blockwood, in whose handes soeuer the
same shall bee founde, after the feast of Saint Michael the Ar-
changel next ensuing, shall be forfeited, and openly burned by the au-
thoritie of the Mayor, or other heade officer of the citie or towne cor-
porate,

porate, or of two Iustices of peace of the Countie where it shall bee founde. And no person shall dye, or cause to bee dyed any cloth, broad clothes, Kersyes, Woolles, Penestones, Bayes, Cottons, Hose- parne, Wattes, Cappes, Flannelles, Woodmalles, Hockadoes, Rashe, Buffings, Tuft mockadoes, or any other thing whatsoeuer, with any of the sayde ware or stufte called Logwood, alias Blocke- wood, vpon paine that the Dyer of euery such seuerall thing so dy- ed, shall forsaite the value of the thing so dyed, to the Queene, and him that will sue for the same, by Action, Bill, Plaint, or Information in any Court of Recorde, in which suite no Essoyne, Protection, Wager, nor writte of Priuiledge shall bee allowed. And the Partie offending, being thereof conuicted, shall remaine in prison without Bayle or mainprise, till he haue satisfied the same va- lue, 23. Eliz. 9.

2 No kinde of Cloth or Clothes, Kersyes, Bayes, Frize- adoes broad or narrow, Hose or other thinges being in the nature of cloth, shall from hencefoorth be mathered for a blacke, except the same be first grounded with woad onely, or with woad and nele, alias blewe Inde, vnlesse the madder be put in with Shomacke, or Gallis. And no person shall dye or cause to bee dyed, any cloth or clothes, or other things abouesayd, of what kinde or nature so euer, mathered for a black, not hauing a ground of woad onely, or of woad and nele, alias blew Inde, vnlesse the madder be put in with Shomack or gallis, vpon paine that the dyer of euery such seuerall thing so dyed, shall for- saite the value of the same thing so dyed, to the Queene and him that will sue for the same by A. B. P. or T. in any court of recorde, in which suite no E. P. W. nor writ of priuiledge shalbe allowed. And the par- tie offending, being thereof conuicted, shal remaine in prison without Bayle or mainprise, till he haue satisfied the same value. Provided al- wayes that it shall and may be lawfull to die all maner of gall blacke, Shomacke blacke, alias plaine blacke, wherein no mather shal be vsed, as heretofore lawfully hath bene done, this Acte &c. notwithstanding. 23. Eliz. 9.

No cloth shall be coloured for black, except it be first ground- ed in woad.

Gall blacke and Shomacke blacke excepted.

3 Every dyer, that shall dye any of the sayde blacke clothes, Kersyes or Frizeadoes, mathered and not woaded, shall befoze he de- liuer any of the same foorth of his handes, fixe a seale of lead to euery of them, in which the letter M. signifying mathered, shall be contai- ned, vpon payne that euery dyer offending to the contrary, shall for- saite for euery parde of the sayde cloth, Kersyes, Bayes or Frizea- does, iii. s. iiii. d. And if any person shall sell any cloth, kersyes, bayes or frizeadoes, mathered and not woaded, and shal not first giue notice

A seale of leade with the letter M

to

Draperie.

to the buyer thereof, that the same is not woaved, that forfaiture also the double value of all such cloth, karseyes, Bayes, and Frizeadoes, as he shall so sell, which forfeitures shall be to the partie that shall sue for the same in any court of Record, by A. B. P. or J. wherein no E. W. or P. & c. 23. El. 9.

1 In what maner woollen cloth dyed, shall bee vsed in the dying. S. Draperie. 71.

2 That none that vse the dying of Sayes, Worstedes, or Stamels shall callender them, S. Worstedes. 3.

Eares.

Cutting off
eares.

Whosoeuer shall maliciously, unlawfully, and willingly cut, or cause to be cut off the eare, or eares of any of the Queenes subiectes, otherwise then by authoritie of lawe, chaunce medly, sodeine affray, or aduenture, shall forfe. to the P. griued treble damages, to be rec. by A. of trespassse, and to the Q. for a fine. x. li. 37. P. 8. 6.

Ecclesiasticall persons, and liuings.

Maintaining
doctrine as
gainst the ar-
ticles.

If any person ecclesiasticall, or hauing ecclesiasticall liuing, shall aduisedly maintaine any doctrine directly contrary to any of the articles comprised in a booke entituled (Articles &c. touching true religion) and being conuented before the Bishoppe, Ordinarie, or the Queenes Commissioners in causes ecclesiasticall, shall persist therein, and not reuoke his error, or after such reuocation, shall eftsoones affirme such doctrine, such maintaining, or affirming, and persisting, or such eftsoones affirming, shall be a lawfull cause, to depriue such person of his ecclesiasticall promotions. And it shall bee lawfull to the Bishop of the Dioces, or Ordinarie, or the sayde Commissioners, to depriue such persons so persisting, or lawfully conuicted of such eftsoones affirming. And vpon sentence of depriuation pronounced, he shall be in deepe depriued. 13. El. 12.

The age of a
beneficed per-
son, and he that
reade and sub-
scribe the ar-
ticles.

2 **N**o person shall bee admitted to any benefice with cure, except hee then bee of the age of xxiii. yeeres at the least, and a Deacon, and shall first haue subscribed the said articles, &c. in the presence of the Ordinarie, and publikely reade the same in the parish Church of that benefice, with declaration of his vnfaigned assent to the same. And if any person to bee admitted to a benefice with cure, do not within two moneths after his induction publikely reade the sayde articles, in the Church whereof he shall haue cure, in the time of common prayer there, with declaration of his vnfaigned assent thereunto, and bee admitted to minister the Sacraments within one yeere after his induction, (If he be not so admitted before) he shall be immediatly vpon euery such default (ipso facto) depriued, 13. El. 12. And no person now

per

permitted by any dispensation or otherwise shall retaine any benefice with cure being vnder the age of xxi. yerres or not Deacon at the least, or which shall not bee admitted as is aforesaid, within one yere next after y^e making of this Act, or within sixe moneths after he shall accomplish the age of xxiii. yerres, on paine that such his dispensation shall be meercly voyde. 13. El. 12.

3 ¶ None shall be made minister, or admitted to preach or minister the Sacramentes, being vnder the age of xxiii. yerres, nor vnlesse he first bring to the Bishoppe of that Dioces, (from men known to the Bishop to be of sound religion,) a testimonial both of his honest life, and of his professing the doctrine expressed in the sayde articles, nor vnlesse hee bee able to answer and render to the Ordinarie, an accompt of his faith in latine according to the sayde articles, or haue a speciall gift and abilitie to bee a preacher: Nor shall bee admitted to the order of Deacon, or ministerie, vnlesse hee shall first subscribe to the sayd articles. 13. Eliz. 12. For the examination of the abilitie of a person presented to an ecclesiasticall benefice, doeth pertain to an ecclesiasticall Judge. Articuli cleri. Anno nono Edwardi. 2. 13.

The ministers age and his testimoniall.

Examination of a persons abilitie.

4 ¶ None shall be admitted to any benefice with cure, of or aboue the value of thirtie pounde yerely in the Queenes booke, vnlesse hee shall then be a Batcheler of diuinitie, or preacher lawfully allowed by some bishop within this realme, or by one of the vniuersities of Cambridge or Oxford. 13. El. 12.

Benefice of the value of xxx. li.

5 ¶ All admissions to benefices, institutions, and inductions to bee made of any person contrary to the forme, or any prouision of this acte, and all tollerations, dispensations, qualifications and licences whatsoeuer to be made to the contrary hercof, shall bee merely voyde in lawe, as if they neuer were. Provided alwayes, that no title to conferre or present by Lapse, shall accrue vpon any deprivation ipso facto, but after sixe moneths after notice of such deprivation giuen by the Ordinarie to the Patron. 13. El. 12.

No Lapse but after notice.

6 ¶ All giftes, grauntes, feoffements, fines, and other conueyances or estates, from the first day of the parliament begunne 24. Ianuuar, Anno Domini 1558. had, made, done or suffered, or to bee had, made, &c. by any Archbishoppe, or Bishop, of any honors, castles, manors, lands, tenements, or other hereditaments, being parcell of the possession of his Archbishopricke or Bishopricke, or vniited, apperteyning, or belonging to any of the same, to any person (other then to the Queene, her heires or successors) whereby any estate shoulde or might passe from the same Archbishoppe or Bishoppe, other then for terme

Leases and other assurances of Bishops lands.

Ecclesiasticall persons, & livings.

terme of twenty one yeeres, or thre liues, from such time as any lease, graunt, or assurance shall begin, and whereupon the olde accustomed yeerely rent, or moze, shall be reserved payable yerely, during the sayde terme of twentie one yeeres, or thre liues, shall bee utterly voyde, any lawe, custome, &c. notwithstanding. 1. Eliz. a statute not printed.

Assurances
made by Col-
ledges, Cathes-
diall Chur-
ches, parsons,
&c.

7 ¶ All leases, gifts, graunts, feoffements, conueyances or estates to be made, had, done or suffered, (bz. from 2. Aprilis An. Do. 1571.) by any master and fellows of any Colledge, Deane and Chapter of any Collegiat or Cathedral Church, master or Gardein of any hospitall, Parson, Vicar, or any other, hauing any spirituall or ecclesiastical liuing of any houses, lands, tithes, tenements or other hereditaments, being parcel of the possessions of any such Colledge &c. or any way belonging to the same, or of any of them to any person &c. bodies politique or corporate, other then for the terme of xxi. yeeres, or thre liues, from the time of such lease or graunt made, whereupon the accustomed yerely rent or moze shall bee reserved, and yeerely payable during the sayde terme, or whereof any former lease for yeeres is in being not to be expired, surrendred, or ended within thre yeres next after the making of any such newe lease, shall bee utterly voyde. 13. El. 10. 18. El. 10. And euery bande and couenant whatsoeuer made for renewing or making of any lease, contrarie to the true intent aforesaid, shall bee utterly voyde. 18. Eliz. 10. But this act shall not make good any lease or other graunt made by any Colledge, or Collegiat Church within Oxforde and Cambridge or else where, for more yeeres then are limited by the priuate statutes of the same Colledge. Neyther shall this Acte extende to any lease hereafter to bee made, vpon surrender of any lease heretofore made, or by reason of any couenant or condition contained in any lease heretofore made, and now continuing, so that the lease to bee made, doe not containe moze yeeres, then the residue of the yeeres of the former lease now continuing, shall bee at the time of such lease hereafter to bee made, nor any lesse rent then is reserved in the said former lease. 13. Elizab. 10. And the president and Schollers of Saint Iohn Baptists Colledge founded by Sir Thomas White Knight, Alderman of London, in the Uniuersitie of Oxforde may from tyme to tyme deuise the maner of Fishide, alias Fifielde, the copyholds and other appurtenaunces in the Countie of Bark. to Raulfe White, brother to the saide Sir Thomas White, for the terme of foure score and nineteene yeres, if the said Raulfe shall so long liue, & so to euery heire male of the sayd S. Thomas successiuelly according to

Colledges in
Oxforde and
Cambridge.

New leases
vpon surrender
of old & former
couenants.

to the forme of a lease thereof already made to the sayde Raulfe. And euery such lease so to bee made and euerie couenaunt made or to bee made for the perfourmaunce of the same shall bee good in lawe, as if the sayde act made in the saide xiii. yeere had neuer beene made any thing in this said act &c. notwithstanding 18. El. 10.

8 ¶ But any of the persons, bodyes politique or corporate afore-
sayde, may graunt, assure, or lease any houses belonging vnto them,
being not their Capitall or dwelling house vscd for their habitation,
nor hauing grounde belonging vnto them, aboue the quantitie of
tenne Acres, or any Groundes to such houses appertayning, which
bee situate in any Citie, Borough, Towne Corporate or market
Towne, or the Suburbes of any of them, in such sorte as by the
lawes of the Realme, and the seuerall Statutes of their houses they
may doe. So that no lease bee made in reuerſion, nor without re-
seruing the accustomed yeerely rent at the least, nor without charging
the leasee with the reparations, nor for longer time then forty yeeres
at the most, Nor any houses of the sayde Colledges, Bodyes poli-
tique, &c. shall bee aliened, vntesse that in recompense thereof, there
shall bee before, with, or presently after such alienation, good, lawfull,
and sufficient assurance made absolutely in fee simple, to such Colled-
ges &c. and their successors, of landes of as good value, and as great
yeerely rent at the least, as so shall be aliened. 14. Eliz. 11. 27. El. 11.
to endure vntil the end of the nexte Parliament.

Colledges &c.
may let certain
landes for
forty yeeres.

Colledges may
not alien their
lands except
they haue suffi-
cient & present
recompence.

9 ¶ No lease made of any benefice or ecclesiasticall liuing with
cure, or any part thereof, and not beeing impropried, shall endure
any longer, then while the lessour shall bee ordinarilie resident and
seruing the cure of such benefice without absence aboue 80. dayes
in any one yeere, but euery such lease immediatly vpon such absence
shall cease and bee voyde, and the incumbent so offending, shall for
the same lose one yeeres profite of his sayde benefice, to bee distribu-
ted by the Ordinarie amongst the poore of the Parish. 13. Eliz. 20.
And after complaint made to the Ordinarie, and sentence giuen vpon
any offence committed by the incumbent, whereby hee shall, or ought
to lose one yeeres profite of his benefice, the Ordinarie within two
moneths after such sentence giuen, and request to him made by the
Churchwardens of the same parish, or one of them, shall graunt
the Sequestration of such profites to such inhabitant or inhabitantes
within the parish where such benefice shall bee, as to him shall
seeme meete, and vpon default therein by the Ordinarie, it shall bee
lawfull to euery Parishioner where the benefice is, to reteyne his
tythes, and likewise for the church Wardens of the said Parish to en-
ter

Leases of benefi-
ces with
cure.

Sequestration
granted by the
Ordinarie.

Parishioners
may reteyne
their tythes.

ter

Ecclesiasticall persons, & livings.

ter and take the profits of the glebe lands and other rents and duties of euery such benefice, to be imployed to the vse of the poore as aforesayde, vntill such time as Sequestration shall bee committed by the Ordinarie, and then aswell the Churchwardens as Parishioners shall yeelde accompt of, and make payment to him, or them, to whom such Sequestration shall be committed. And hee or they, to whome such Sequestration shall be committed, from time to time shall iustly and truely bestowe the sayd profits or the iust value thereof without fraude, to such uses as by the sayde Statute is appointed, vpon paine of forfaiture of the double value of such withholden profits, to bee recovered in Ecclesiasticall court, by the poore of the sayde parish. 18. Eliz. 10.

Bands, contracts &c. for the enioying of benefices.

10 **C** All Banes, contracts, promises and couenantes made for suffering any person to enioy any benefice or ecclesiasticall promotion with cure, or to take profits or fruites thereof (other then such banes and couenants as shall bee made for assurance of any lease heretofore, by, before the same Statute made) shall bee to all intentes adiudged of such force and no otherwise, as leases made by the same persons of such Ecclesiasticall promotions with cure, 14. El. 11. 27. El. 11.

Demise of a benefice to a Curate.

11 **C** Euery person allowed by the lawes of this Realme, to haue two benefices, may demise one of them, vpon which hee shall not bee ordinarily resident, to his Curate, which shall serue the cure for him, which lease shall endure no longer then during such Curates residence, without absence aboue forty daies in any one yere. 13. El. 20. 27. El. 11.

Bands, contracts &c. made by a Curate.

12 **C** All leases, banes, promises, and couenants, of and concerning benefices, and ecclesiasticall livings with cure, to bee made by any Curate, shall be of no other, nor better force, validitie or continuance, then if the same had byn made by the beneficed person himselfe, that demised the same to his Curate. 14. El. 11. 27. El. 11.

Charging of benefices.

13 **C** All chargings of benefices with cure, with any pension, or with any profite out of the same, to bee yeilded or taken, (other then rents reserved vpon leases to bee made according to the meaning of this acte) shall be voyde. 13. El. 20. 27. El. 11. to continue to the ende of the next parliament now next ensuing.

Taking of farmes.

14 **C** No spirituall person shall take to farme to him selfe, or to any person to his vse, of the lease or grant of the Queene, or any other person or persons, by letters patents, Indentures, writings, by word or otherwise by any maner of meanes, any manors, lands, tenements, or other hereditaments for terme of life, yeeres, or at wil, vpon paine to

to forfeite for every moneth that hee, or other to his vse, doe occupie such farme by reason of any such graunt or lease, ten pounce to the Queene and Informer, to bee recovered by accion, information, &c. wherein no Wager, Essoyne, Protection, &c. except the temporalities of an Archbishopricke, Bishopricke, or collegial, cathedral, or conventuall church, and landes to be letten vpon a trauers tendred after an office found concerning his freeholde, and a dwelling house hauing but onely orchardes and gardens in any citie, borough, or towne, for his owne habitation, All which, a spirituall person may take to farme (but by the sayd dwelling house hee shall haue no colour of Non residence,) And also except Presidents and masters of Colledges, hauing lands or other perely profiters in the right of their houses, vnder, and not aboue 800. markes, which may occupie as much of their demesne landes, fee farmes, and farmes to their most profite for the only maintenance of their householdes, as they or any of their predecessors at any time by the space of an hundredth yeeres before the making of this act, might haue done. And all spirituall persons hauing landes or other possessions in the right of their houses, aboue the perely value of eight hundred markes, may keepe, and retaine in their occupation and manurance, as much of their sayde landes and other possessions, as shall bee necessarie and sufficient for pasturage of their cattell, and for tillage of cozne to bee imployed and spent for the onely maintenance and keeping of their householdes and hospitalities without fraud or couin. 21. H. 8. 13. Whether a lease made to a spirituall person, or to any other to his vse for terme of life, yeeres, or at will, of any lands &c. whereof he taketh the profite, &c. be voyde by this Statute or not, S. Stat. & Quare.

15 ¶ If any spirituall person doe by himselfe, or any other for him to his vse, bargaine and buy to sell againe for gaine, in any markets, faires, or other places, any manner of cattell, cozne, leade, tynne, hydes, leather, tallowe, fish, wooll, wood, or any manner of vitaille or marchandize of what kinde so euer they bee, hee shall forfeite the treble value of the things so bought to sell againe, to the Queene and Informer, to be recovered by accion, information, &c. wherein no W. E. P. &c. And also the said bargaine and contract shall be utterly voyde. But a spirituall person which without fraude buyeth any horses &c. cattels, goods, &c. with onely intent at the buying thereof to imploy the same to the necessarie apparell of himselfe, his seruants, or house, or for the onely occupying, or manuring of his glebe or demesne landes annexed to his Church, or for the necessarie expences of his household, and after the buying, or exercise thereof, misliketh the same,

Quere.

Buying and selling.

In what cases
spirituall per-
sons may take
lands in farme

same, that they should not bee good, profitable and conuenient for any of the purposes abovesayd, for which they were bought, then he may lawfully bargaine and put them away. And also other spirituall persons not hauing sufficient glebe or demeane landes in their owne handes, in the right of their Churches, houses, &c. for pasturing of cattell, or for increase of corne, for the onely expence of their householdes, or for their carriages and iourneyes, may take in farme other landes, and buy and sell corne and cattell for the only manurance, tillage, and pasturage of such farmes, so that the increase thereof be alwaies imployed for the only expences in their householdes, and not to buy and sell againe for any other commoditie, but onely the ouerplus of such corne and cattell aboue the expences of their householdes, if any such shall happen to bee bredde and increased thereof without fraude or conuincion. 21. H. 8. 13.

If spirituall per-
son shall not oc-
cupie a parson-
age or vicar-
age in farme.

16 ¶ If any spirituall person beneficed with cure, doe occupie by himselfe, or any other to his vse, any parsonage or vicarage in farme of the lease or graunt of any other person, or take any profite or rent out of such farme, hee shall forfeite fourty shillings for euery weeke, that he or any to his vse shall occupie any such farme. And also shall forfeite tenne times the value of such profite or rent which hee shall take out of any such farme, to the Q. and J. to be recovered by A. J. &c. wherein no W. C. P. &c. 21. H. 8. 13.

If spirituall per-
son shall not
keepe a Tanne
house or Wyue
house.

17 ¶ If any spirituall person shall haue, vse, or keepe by himselfe or any other to his vse or commoditie any Tanne house to bee occupied to his vse or commoditie, or any Wyue house to any other intent then onely to be spent and occupied in his owne house, he shall forfeite for euery moneth so vsing or occupying any of the sayd misteries x. li. to the Q. and J. to be recovered by A. J. &c. wherein no W. C. P. &c. 21. H. 8. 13.

Pluralities.

18 ¶ If any person hauing one benefice with cure of soule, being of the yeerely value of eight pounce or aboue, doeth accept another with cure of soule, and bee instituted and inducted in possession of the same, then immediatly after such possession had thereof, the first benefice shall be adiudged in the lawe to be voyd: And euery patron hauing the aduowson thereof, may present another, and the presentee shall haue the benefice of the same, as though the incumbent had died or resigned. But no Deanrie, Archdeaconrie, Chauncelloshippe, Treasurership, Chauntershippe, or Prebend in any Cathedrall or collegiall Church, nor parsonage that hath a vicar endowed, nor any benefice perpetually appropriate, bee taken vnder the name of a benefice with cure of soule. 21. H. 8. 13.

Which shall
not be said be-
nefices with
cure of soule.

19 ¶ But all spirituall men of the Queenes Counsell may purchase licence or dispensation, and take, receiue, and keepe three parsonages or benefices with cure of soule, And all other spiritual men not sworn of her Counsell which be Chapleines to the king or Queene, Prince, Princess, or to any of the Kings children, brethren, sisters, uncles or auncles, may purchase licence or dispensation, and receiue and keepe two benefices with cure of soule. And euery Archbishops may haue eight Chapleynes, euery other Bishoppe sixe, euery Duke vi. euery Marques and Earle v. euery Viscount foure, the Chauncelloz of England three, euery Baron and knight of the Garter three, euery Duches, Marques, Countesse, Baronesse, (being widowes, or which haue taken any husbände) vnder the degree of a Baron ii. the Treasorer and Comptroller of the Queenes house ii. the Queenes Secretarie two, the Deane of the Queenes Chappell two, the Queenes Amner two, the Master of the Rolles two, the chiefe Justice of the Kings Bench one, the Warden of the five Portes one Chapleine, euery of which Chapleines may purchase licence, and receiue, haue, and keepe two parsonages or benefices with cure of soule. But the Chapleines so purchasing, receiuing and keeping benefices, with cure of soule, be bound to haue and exhibite, where need shall be, letters vnder the signe and seale of the Queene and other their Lord and master, testifying whose Chapleines they bee, or else not to enioy any such pluralitie of benefices. And if any person to whome any Chapleines be limitted by this Act, shall by colour thereof, aduance any spirituall person, aboue the number to him appointed, to receiue any moe benefices with cure of soule, then is before limitted, then the spirituall person so aduanced aboue the said number, shall incurre the penaltie contained in this Act. 21. H. 8. 13.

These may haue pluralities by their service.

Exhibiting letters vnder their Lordes seales.

Aduancing moe Chapleines than is allowed.

20 ¶ Euery brother, or sonne of any tempozall Lord borne in wedlocke, may purchase licence, or dispensation, and receiue, haue and keepe as many benefices with cure as the Chapleines of a Duke or Archbishops, and euery brother and sonne of a Knight borne in wedlocke, and euery Doctor and Bachelor of Diuinitie, Doctor and Bachelor of law Canon, which be admitted to the said degrees by any of the Vniuersities of this Realme, and not by grace onely, may purchase licence, & take &c. two benefices with cure of soule. 21. H. 8. 13. And al Suffragans which shal exercise the said office of Suffragans by Commission of the Bishoppe, may haue two benefices with cure. 26. H. 8. 14. 1. El. 1. But the said libertie giuen to any of the persons aforesaide to purchase licence, or dispensation, and receiue and keepe moe benefices then one, shall be vnderstanded, to extende in number to

Pluralities by birth or degree

Suffragans

Ecclesiasticall persons, & liuings.

**Queenes
Chapleines.**

no moe benefices with cure of soule then is aboue limitted, Sauing that the Queene may giue to any of her Chapleines being spirituall persons, what number of benefices or promotions spirituall she will. And also shee may graunt licence to any of them for Non residence, and the said Chapleines may accept the same, without incurring any penaltie. 21. H. 8. 13.

Residence.

21 ¶ Every spirituall person promoted to any Archdeaconrie, Deanrie, or dignitie in any Cathedral Church, or other Church conuentuall, or collegiall, or being beneficed with any parsonage, or vicarage, shall bee personally resident and abyding in, at, and vpon his sayde dignitie, Prebende or benefice, or at one of them at the least. And if any such spirituall person do not keepe residence at one of his sayde dignities, Prebende or benefice, but absent himselfe wilfully by the space of one moneth together, or by the space of two moneths to be accompted at seuerall times in any one yere, and make his residence and abiding in any other places by such tyme, then hee shall forfeite for euery such default x.li. to the Queene and Informer, to be recovered by accion, information &c. wherein no Wager, Ellopyne, Protection, &c. 21. H. 8. 13.

**Who may be
discharged of
residence, & by
what meanes.**

22 ¶ The Statute of Non residence shall not extende, nor bee preiudiciall to any spirituall person being in the Queenes seruice beyonde the Sea, nor to any person going to any pilgrimage, or holy place beyonde the Sea, during the tyme of their seruice and pilgrimage, and going and returning home, nor to any scholer vnder the age of fourtie yere being conuersant and abiding for studie, (without fraud) at any Uniuersitie within this realme or without. 21. H. 8. 13. So that the said Scholer be present at the ordinarie lecture, as well at home in their houses as in the common schooles, and in his proper person keepe Sophismes, problemes, disputations or other exercises of learning, and be opponant, and respondent in the same, according to the ordinances and Statutes of the Uniuersities where &c. Nor to any scholer of, or aboue the age of fourty yeres, being conuersant in any of the said Uniuersities, which is Chaunceller, vice Chaunceller, or Commissarie of any of the said Uniuersities, or Warden, Deane, Prouost, President, Rector, Maister, Principall, or other heade ruler of a Colledge, Hall, &c. or Doctor of the Chaire, or Reader of Diuinitie in the common scholes, or Reader of any common lecture in Diuinitie, Lawe Ciuill, Physicke, Philosophie, Humanitie, or any of the liberal sciences, or common Interpreter or teacher of the Hebrew, Chaldee, or Greeke tongue in any Colledge or other place of the said Uniuersities, Nor to any person aboue the age of fourty yeres, which

which shall resort to any of the sayd Uniuersities to proceede Doctor in Diuinitie, Lawe Ciuil, or Physicke, for the time of his proceeding and executing of such sermons, disputations, and lectures, which by the Statute of the Uniuersitie he is bounde vnto for the sayd degree. 28. Hen. 8. 13. Neither shall this Statute extende to any Chapleines of the King, Queene, Prince, Princessse, King or Queenes childzen, brethren or sisterne, nor to any Chapleine of any Archbishoppe, Bishoppe, spirituall or tempozall Lorde of the Parliament, Duchesse, Marquesse, Countesse, Vicountesse, Baronesse, (being widowes, or married againe &c.) Lord Chaunceller or Treasorer of England, the Queenes Chamberleine or Stewarde of her housholde, or of the Treasorer or Comptroller of the Queenes house, nor to any Chapleine of any Knight of the Garter, chiefe Justice of the Kings bench, Warden of the fine Portes, Master of the Rolles, the Queenes Secretarie, Deane of the Queenes Chappell, or of the Queenes Amner attending dayly in the housholde of the foresaide persons, during the time that any such Chapleine shall abide and dwell in any of the sayde housholdes. 21. Hen. 8. 13. Neither shall this Statute of Non residence bee prejudiciall to any one Chapleine of any of the Judges of the Kings Benche, or of the Common pleas, of the Chauncelloz, or chiefe Baron of the Eschequer, of the Queenes Atturney, or generall Soliciter. But euery of them may haue one Chapleine in his house, or attendant on his person, hauing one benefice with cure of soules, which may be absent and not resident. 25. Hen. 8. 16. Neither doeth this Statute extende to any one Chapleine of the Chauncelloz of the Duchie of Lancaster, or of the Master of the Queenes Wardes and Liueries, or of the Treasorer of the Queenes Chamber, or of the Groome of the stoole. Euery of which may retaine singularly in his house, or attendant vnto his person one Chapleine hauing one benefice with cure of soule, which may be absent from his benefice and not resident. 33. H. 8. 28. Neither shall this statute of Non residence bee prejudiciall to the Master of the Rolles, or Deane of the Arches, nor to any Chauncellour or Commissarie of any Archbishop or Bishop, nor to as many of the twelue Masters of the Chauncerie, and twelue Aduocates of the Arches as bee spirituall men, during the time they shall occupy their roomes, nor to any spirituall person, which shall by iniunction of the Lord Chauncelloz or Queenes Counsell be bound to dayly apparance, to answer the lawe, during the time of such iniunction. 22. H. 8. 13. And the residence of him which shal be Suffragan ouer the dioces, where he shall haue Commission, shal serue him for his residence as sufficiently, as if he were resident vpon any other

Ecclesiastical persons, & livings.

his benefice. 26. H. 8. 14. 1. Cl. 1.

These Chap-
leines must
sometime re-
sort to their
Cure.

23 ¶ If any Chapleine of the Chauncellour of the Duchie of Lancaster, of the Master of the Wardes and Liveries, of the Treasurer of the Queenes Chamber, or of the Groome of the stoole, which is licenced to bee absent and not resident vpon his benefice, doeth not repaire two times in euery yeere at the least to his benefice and cure, and there tarie viii. dayes at the least at euery time, to visite and instruct his cure, hee shall forfeite xl. s. for euery tyme so sayling, to the Queene and Informer, to be rec. by A. J. &c. wherein no W. C. P. &c. 33. H. 8. 28.

First frutes.

24 ¶ If any person being elected, perfected, presented, nominated, collated, or appointed to any Archbishoppicke, Bishoppe, Colledge, Hospital, Archdeaconrie, Deanrie, Priouostshippe, Prebende, Parsonage, (exceeding the yerely value of x. markes, after the value vpon the recozdes and bookes of rates and values, for the first frutes and tenths remaining in the Eschequer) vicarage (exceeding the yerely value of tenne pounce after the same rate) or other dignitie, benefice, office, or promotion spirituall within any of the Queenes dominions, (the Deane and Canons of the Chappell of S. George within the Castell of Windsor, and all the possessions and hereditaments of the same Chappell, the Uniuersities of Cambridge and Oxforde, and certaine Colledges and Halles therein, & the Colledges of Eton and Winchester except) doeth not before the actuall or reall possession, or medling with the profits thereof, satisfie, content, and paye or compounde, or agree to paye to the Queenes vse, at reasonable dayes vpon good suerties, the first frutes, reuenues and profits for one yeere of the sayde dignitie or promotion spirituall (which yere shall beginne and be accompted immediatly after the vacation or auoydance of the sayd promotion. 28. H. 8. 11.) and is therof conuict, by presentment, verdict, confession or witnesse, before such as haue authoritie to compound for the said first frutes, hee shall be taken an intruder vpon the Queenes possession, and hee, his executors or administrators shall pay to the Queenes vse, for euery such offence, so much money as shall amount to the double value of the first frutes of the spirituall promotion for one yere, wherein hee shall enter and intrude before the payment of the sayd first frutes or agreement for the same. 26. H. 8. 3. 1. Cl. 4.

Obligations
for first frutes
in the nature
and strength
of a statute.

25 ¶ All writings obligatorie, taken for the payment of the said first frutes by any person deputed to compound for the same, be of the same strength, qualitie and effect, to al intents, as writings obligatorie made by any Lay person by authoritie of the statute Staple bene. And

no person shall bee compelled to pay for any writing obligatorie to be made, for the payment of the sayd first frutes, aboue viii.d. nor for any acquittance for the receipt thereof, aboue iiii.d. 26. H. 8. 3.

26 ¶ But every person named, presented, or by any meanes appointed to any dignitie or promotion spirituall, shall at his composition and entrie into specialitie for the payment of his first frutes, have allowance, and deduction of the tenth part of the whole, out of the summe to be payed for the sayd first frutes, for the peere wherein hee shall bee first nominated, presented, or by any other meanes appointed to any such dignitie or promotion spirituall, according to the iust rate and taxation of the Tenth of every such promotion spiritual. And the he shall pay vnto the Ducenes Maiestie, her heires and successors the said tenth part the sayd first pere. 27. H. 8. 8.

The tenthes
shalbe deduc-
ted fourth of the
first frutes.

27 ¶ If any incumbent of any spirituall promotion chargeable to pay the first frutes, doeth liue to the ende of one halfe pere next after the last auoydance of the sayde promotion, so as he hath or without couin might lawfully haue receiued or enioyed the rentes or profitess of that halfe peere, and before the ende of the other halfe peere then next following doeth dye, or is lawfully euicted, remoued, or put from the sayde promotion spirituall, by iudgement in an accion at the common lawe without fraud or couin, then hee, his heires, executors, administrators, and suerties, shall bee charged but only with the fourth part of the first frutes due to be payed for his sayde promotion, and with no more of the sayd first frutes, any thing in this Act, any bande or writing or other matter notwithstanding, &c. If the Incumbent liue by the space of one whole peere next after the last auoydance of the sayde promotion spirituall, and then before the ende of one halfe peere then next after shall fortune to dye or be lawfully euicted, remoued, &c. then hee, his executors or &c. shall bee charged but onely with the moitie of the first frutes, &c. and with no more. If the Incumbent liue to the ende of one whole peere and a halfe next after the last auoydance, &c. and then before the ende of sixe monethes then next following shall fortune to dye or be lawfully euicted, &c. Then he or &c. shall be charged but onely with thre partes of the first frutes of the same promotion spirituall in foure to bee deuided, and with no more. If the Incumbent doth liue to the ende of two whole peeres next after the last auoydance of the same his promotion spiritual, and not be lawfully euicted, remoued, or put from the same &c. then he, his heires, executors, administrators and sureties shalbe charged with the whole first frutes. 1. El. 4.

The rate howe
by death or es-
niction the in-
cumbent shalbe
discharged of
the first frutes
or part thereof.

28 ¶ Every Archbishop, Bishop, Archdeacon, Deacon, Preben-
O. iiii. darie,

Tenthes

Ecclesiastical persons, & livings.

The Bishops
collectors of
tenthes.

Hospital.

Schole.

The penaltie
for default of
payment of
the tenthes.

Parie, Parson, Vicar, and other hauing any benefice or promotion spirituall, in England, or Wales, shall peereley pay to the Queenes Maiestie, her heires, and successors, at the feast of the Natiuitie of our Lord, one yerely rent or pension, amounting to the value of the tenth part of all the reuenues, rentes, farmes, tithes, offringes, and emoluments, and all other profites, alwell spirituall as tempozal, belonging to any of the said dignities or promotions, (which tenth euery of them shalbe charged to pay in the proper dioces where they be, wheresoeuer their possessions & profites do lye) And which tenth euery Archbishop and Bishop is charged to leuie, collect, and receiue within his proper dioces, aswel in places exempt, as not exempt, and they, their executors and administrators, & the possessions of their Churches shal stand charged for the payment of such summes as they shall collect, & when any Sea is voyde, then the Deane and Chapter of the Cathedrall Church where &c. their executors, administrators and possessions shal be charged for the execution of this Act, within the said Diocesse, But this Act doth not charge any hospitall founded and vsed, and the possessions thereof imployed to and for the reliefe of the poore, or any Schole, or the possessions of them with the payments of any tenthes, or first fruites. 26. H. 8. 3. 1. Cl. 4.

29 ¶ If any summe of money being once due, by any incumbent, of any dignitie, benefice, or promotion spirituall, charged to the payment of the sayd tenthes, be reasonably demaunded after the feast of the Natiuitie of our Lord God, at his dignitie or Church, by the Archbishoppe, Bishoppe, or such as shall be charged with the collection of any part of the sayd pension, or by any of their Ministers, seruants or officers, And the said incumbent doeth not content and pay vnto the sayde Archbishoppe, Bishoppe, or other Ministers, euery peere peereley at the request thereof, or els within fourtie daies after at the furthest, Then euery incumbent making such default, after the default certified into the Queenes Elchequer in wryting vnder the seales of the Archbishoppe, Bishoppe, or such as be charged with the collection of the said tenth, shalbe adiudged, depriued (Ipso facto) of that dignitie or benefice onely, wherof such certificat shalbe made. 26. H. 8. 3. 2. Ed. 6. 20. And the saide Archbishoppe or Bishoppe making such certificat, (before or at the last day of May. 7. Ed. 6. 4.) shalbe discharged against the Queene for such summe of money as the said incumbent should haue paied. 26. H. 8. 3. And also the said Archbishops, Bishoppes, and any of their deputies, and other Accomptants authorized to accompt for them, vpon their accompts of & for the said yerely tenth, shalbe discharged vpon their othes, of payment of such summes of

of money of the said annuall rent or tenth as they cannot lawfully le-
 uie. 32. H. 8. 22. S. Eschequer. 2. That nothing shall be taken of any
 person hauing charge with the collection of tenth for his accompt
 or Quietus est.

The fruites
 taken in a va-
 cation restored
 to the next
 incumbent.

30 ¶ If any Bishop, Archdeacon, Ordinarie, or other person to
 his vse, doe receiue or take the fruites, tithes, oblations, commodi-
 ties, reuenues, rents, profits, or casualties, coming, or growing, or
 belonging to any Archdeaconrie, Deanry, Prebende, Parsonage,
 Vicarage, Wardenhip, Houostship, or other spirituall promotion,
 benefice, dignitie or office, during the vacation of the same, and vpon
 reasonable request made, doe not restore and pay the same to the next
 incumbent, being lawfully instituted, inducted or admitted to such
 Archdeaconrie, Parsonage, or promotion, or doth let or interrupt the
 said incumbent to haue the same, Then he shall forfeite the treble va-
 lue of so much, as he shal haue receiued of the saide fruites, or hath let
 or interrupted the incumbent to receiue and take of the saide fruites,
 tithes, &c. to the Queene and the incumbent &c. to be recouered by A.
 J. &c. wherein no W. C. P. &c. For euery person presented, promo-
 ted, admitted, instituted, or inducted to any promotion spirituall, and
 his executors, shall haue the tythes, fruites, oblations, and all other
 whatsoeuer reuenues, casualties and profits, certeine and vncerteine
 belonging to the said promotion, growing, rising, or coming, du-
 ring the vacation of the same promotion, sauing that if the first in-
 cumbent haue sowed any part of his glebe landes, hee may declare
 his Testament of the profite of the Corne growing vpon the same,
 And also the Bishoppe, Archdeacon, Ordinarie, or their Ministers
 may reteine in their custodie so much of the tithes, fruites, and other
 commodities as shall amount to pay to such person as hath serued the
 cure during the vacation, his reasonable stipend, and also for the ga-
 thering and leuying of the tithes, fruites, and profits rising and gro-
 wing during the vacation. And also the yere in which the first fruites
 shalbe paid to the Queene, shal begin, and be accompted immediatlie
 after the auoydance or vacation of such benefice or spirituall promoti-
 on. 28. H. 8. 11.

The incum-
 bents benefice
 & charge shall
 begin during
 the vacation.

31 ¶ An vnion or consolidation of two Churches in one, or of a
 Church and a Chappell in one, the one of them not being aboue the
 perely value of sixe pound as it is valued at to the Queene in her Es-
 chequer, and not distant from the other aboue one mile in any place
 within this Realme of Englande, may be had or made by the assent
 of the Ordinarie and Ordinaries of the Dioces where such churches
 and Chappells stande, and by the assentes of the incumbents of them,
 and

Union of two
 Churches by
 the assent of
 the Parson,
 Patrone, and
 Ordinarie.

Ecclesiastical persons, & livings.

and of all such as haue iust right, title and interest to the patronages of the same, being then of full age. And such unions and consolidations made of two Churches in one, or of a Church and Chappell in one, shalbe good and auailable in lawe to continue for euer vnited in one, in such maner and forme, as by wytyng vnder the seale of such ordinaries, incumbentes, and patrones it shalbe declared, Alwayes sauving to the Queene the tenthes and first frutes of all such Churches and Chappells as shalbe vnited in one, according to such like rates as the same are now rated at in the Eschequer. 37. H. 8. 21. 1. Cl. 4.

No unions in
corporate
townes with-
out consent of
the corporati-
ons.

32 ¶ But all unions & consolidations to be made of any Church or Chappell, within any Citie or Towne corporate within England, without the assent of the Mayors, Sherifes, and Commynaltie of the Citie, or without the assent of such bodie corporate of other Townes corporate, where such Churches, Church or Chappell shalbe, by the names of their corporations in wytyng vnder their common seale, shalbe clearly voyde. 37. H. 8. 21.

The union as
vowed vpon a
competent li-
ving assured.

33 ¶ Provided that where the inhabitants of any such poore parish, or the more part of them, within one yeere next after the union of the same parish, by their wytyng sufficient in the lawe, shall assure the incumbent of the saide parish for the yerely payment of so much money as with the summe that the saide parish is valued at in the Eschequer shall amount to eyght pound, to be paid yerely by the said inhabitants to the said incumbent and his successors, then all such unions and consolidations to be made of any such poore parish shall be voyde. But this prouiso shall not extend to any union of any Church or Chappell made before the making of this Statute. 38. H. 8. 21. 1. Cl. 4. An. 15. R. 2. & 4. H. 4. 12. It was ordeined that in euery licence which should be made out of the Chauncerie to appropriat any parish Church, it should be expressly conteined that the diocesan of the place where the appropriation of any such Church should be, should appoint according to the value of the Church, a conuenient summe of money to be paid and distributed yerely of the frutes and profites of the same Church, to the poore parishioners of the same parish in ayde and maintenance of their livings. And that there should be also a Vicar ordeined by the ordinarie which should be well and sufficiently endowed, so that he might doe diuine seruice, instruct the people, and keepe hospitalitie there.

Approprias-
tion.

In what cases
trees may be
cut downe in
Churchyards.

34 ¶ For as much as the Churchyard is the soyle of the church, and whatsoeuer is planted belongeth to the soyle, it must needs folowe that those trees which bee growing in the Churchpards are to bee

bee numbred amongst the goods of the Church, the which Laye men haue no libertie to dispose, But because those trees bee planted to defend the force of the winde from hurting the Churches, the Parsons of Churches shall not presume to cutte them downe vnadvisedlie, but when the Chauncell of the Church hath neede of necessarie reparations, Neyther shall they bee conuerted to any other vse except the bodie of the Church doeth neede like repayre, in which case the Parsons of their charitie shall doe well to releue the Parishioners with the same trees. 35. Edw. 1. Ne rectores prosternant arbores in Cemiterio. This is not aptly to be termed a statute, but rather a request, counsell or aduertisement of King E. 1. Ideo quære for the validitie thereof.

35 **C**S. Tithes, 23. In all cases where any person hauing estate of inheritance, freeholde, terme or interest in any Parsonage, vicarage, or other Ecclesiasticall profit made temporall, shalbe wrongfully put out of the same, he may haue his remedie in a temporall Court by originall writ out of the Chauncerie, And also writs of couenant, and other writtes for fines to be leuied of Parsonages, Vicarages &c. shall be sued out of the Chauncerie, and iudgements giuen and fines leuied of the same be good and effectuell in Lawe.

Reconerie and conueiance in a temporall court of a spirituall liuing.

1 That Ecclesiasticall parsons shall not be molested which are in Preachers, preaching or doing diuine seruice. S. Arrests. 1. Preachers, 1.

2 That an incumbent may declare his will of Corne sowne vpon Coine sowne, his Glebe land. S. Testaments, 21.

3 What Ecclesiasticall persons shall forsaye which doe not say Common prayer or minister the Sacraments, as they ought. S. Sacraments, 2. 10.

4 Which ecclesiastical persons shal take the othe for the Queenes Othe. supreme gouernement ouer all estates, and vpon what payne. S. Q. 5. 6. 8. 10.

5 The punishment of an ecclesiasticall person which compasseth Queene, to destroy or depose the Queene, or to leuie war within the Realme, or maintaineth that she ought not to be Queene. S. Queene, 12.

6 That the goods of an ecclesiasticall person shall not bee taken Purueyors, by any of the Queenes purueyours. S. purueyours, 2.

7 That no Alien shall take a benefice within Englande without Alien. the Queenes licence, neither any man occupy to his vse, nor that any Bishop shall medle with the fruites of any benefice giuen to an alien. S. Premunire. 2. 3. 4.

8 That ecclesiastical persons may be punished by their ordinaries Incontinencie, for incontinencie. S. Incontinencie. 1.

9 That

Ecclesiasticall persons, and liuings.

- Constitutions.** 9 That the Clergie shall make no constitutions without the Queenes assent, S. Conuocation. 2.
- Apparel.** 10 What apparell ecclesiasticall persons may weare. S. Apparell, 13. 14. 16.
- Licence.** 11 What an ecclesiastical person shal forf. which giueth licence to eate flesh to him that hath no neede, S. Fish dayes, 6.
- Fugitiue.** 12 What an ecclesiasticall person shall lose which passeth the sea without the Queenes licence, and doeth not returne within fixe moneths after proclamation. S. Fugitiues, 2. 3.
- Horses.** 13 How many horses euery ecclesiasticall person is chargeable to keepe, S. horses. 10. 11.
- Sheepe.** 14 How many Sheepe spirituall persons may keepe, S. Sheepe, 10.
- Force.** 15 For forcible entre or forcible detaining of ecclesiasticall liuings. S. Force, &c. 2.
- Dilapidations.** 16 Concerning remedie for dilapidations made by any ecclesiasticall persons, S. Dilapidations, 1. 2.
- Distresse.** 17 In what fees of the Church a distresse may be taken, S. Distresse, 3.
- Disseison.** 18 For fresh suite by writte of Entre, &c. after the disseison by prelates. S. Age, 1.
- Lapse.** 19 Where title to present by lapse shall not accrue to the ordinarie, but after fixe moneths after notice, S. Lapse, 1.
- Mortmaine.** 20 Where it is mortmaine for any spirituall person to enter into landes and make a Churchyarde or buriall place thereof. S. Mortmaine, 3.
- Assurance to Churches.** 21 What assurances of landes may be made to Churches, Chapels, Churchwardens, &c. in what sort, and for how long time, S. Mortmaine, 6. 7.
- Mortuaries.** 22 Howe much ecclesiasticall persons, and their farmors shall take for mortuaries, and of whom, S. Mortuaries.
- Vacation.** 23 The remedie where a disturber presenteth to a Church during the vacation. S. Auowson, 1.
- 24 A confirmation of Ecclesiasticall liuings before assured to, K. H. 8. & K. Ed. 6. S. Monasteries. 29. 31.
- 25 What remedie a Parson of a Church shall haue to recouer land or common of pasture, whereof he or his predecessor was deforced. S. Quod permittat. 1.

Bringing ouer
Egyptians of
suing for li-
cence of pas-
port for them.

Egyptians.

If any person doeth willingly transport into England or Wales any persons commonly called Egyptians, or doth sue for any letter, licence,

licence, or passport for any of the said Egyptians to continue in England or Wales, contrary to this statute, he shall forfeit xl. li. to the Q. and J. to be recovered by A. J. & c. wherein no W. E. P. & c. And also such letter, licence, and passport shall be void. 1. & 2. P. & M. 4.

2 ¶ If any persons called Egyptians being above the age of xiii. yerres, which shall be transported into England or Wales, do continue within the same by the space of one moneth, Or any persons being of the age of xiiii. yerres, shall be seene in any company of the vagabondes calling themselves Egyptians, or counterfainting, transfourming, or disguising themselves by their apparell, speach or other behauour like vnto Egyptians, and so shall continue, either at one, or seuerall times, by the space of a moneth, they shall be iudged felons, 1. and 2. P. & M. 4. 5. El. 20.

It is felony for Egyptians to continue within this Realme a moneth.

- 1 That an Egyptian shall not haue his Clergie. S. Clergie. 11.
- 2 That the triall vpon arraignment of Egyptians shall not be per medietatem linguæ, S. Iurors. 30.

Entre.

The dying seised of any disseisor, of, or in any manors, lands, tenements, or other hereditamentes hauing no right or title therein, the which with strength, and without title entred into the same, and wrongfully disseised the rightfull owners and possessors thereof, shall not be taken any such discent in the lawe for to take away the entre of any such person or persons, or their heires, which at the time of the same discent had good and lawfull title of entre, into the said manors, landes, tenements, or hereditamentes, Except that such disseisor hath had the peaceable possession of such landes, & c. whereof he shall so die seised, by the space of v. yerres next after the disseison therein by him committed without entre or continuall claime, by, or of such person or persons, as haue lawfull title thereunto, 32. H. 8. 33.

a disseisor dying seised taketh away no title of Entre.

2 ¶ If those alienations whereof a writte of Entree had wont to be graunted, be past so many degrees, whereby that writte cannot be made according to the forme before time vsed, the plaintifes shall haue a writte to recouer their seison, without making mention of any degrees, to whose hands soeuer by such alienations the thing shall come. Malbridge. 52. H. 3. 29.

Writtes of Entre in the post.

- 1 Where a writte of Entre is mainteinable for the disseisor or his heire, against the disseisor or his heire, S. Age. 1.

Error.

If the tenant for terme of life, Tenant in Dower, Tenant by Curtesie of England, or tenant in taile after possibilitie of issue extinct, be

Error.

He in the reuerſion ſhall haue a writ of Error & Attaint vpon a iudgement giuen againſt the particular tenant.

he impleaded, and plead to an enqueſt, and loſe by verdict, default, or in other maner, he to whom the reuerſion of the tenements ſo loſt pertaineth at the time of ſuch iudgement giuen, his heires and ſuccesſour ſhall haue an Accion by writte of attaint, to attaint the ſame Iurie, if he will aſſigne the ſame othe to be falſe, and alſo by writte of Error, if Error be found in the record of ſuch iudgement, as well in the life of ſuch tenants that ſo doe loſe, as after their death, And if ſuch iudgement erronious be reuerſed, or ſuch falſe othe be founde, the tenant that did loſe by the firſt iudgement (if hee be liuing) ſhall be reſtored to his poſſeſſion of the tenements ſo loſt with the iſſues in the meane time, and the partie purſuing, to the arrerages of the rent, if any be due of the ſame tenements. And if ſuch tenaunt be dead at the time of the iudgement giuen, vpon ſuch writtes of attaint and of Error, reſtitution of the ſaide tenementes ſhall bee made to the partie purſuing, with the iſſues after the death of the ſaide tenaunt, together with the arrerages of the rent if any to him were due in the life of the tenaunt, But although the tenant which ſo did loſe by iudgement, be liuing, and the partie purſuing will alledge that the ſame tenant was of Couin, and of the aſſent of the demaundant which recouered to loſe ſuch tenements, yet reſtitution ſhall bee made to the ſame partie purſuing with the iſſues and arrerages, Sauing to ſuch tenant his accion by Scire facias, out of the ſame iudgement ſo reuerſed, or by writte of Attaint if he wil trauerſe the Couin and aſſent, and not otherwiſe. 9. R. 2. 3. S. Recoueries. 5. if any recovery be had by agreement of the parties, or by couin againſt any ſuch tenant for terme of life, or againſt any other with voucher ouer of any ſuch tenant, the ſame againſt him in the reuerſion or remainder ſhalbe voyde. 14. El. 8.

Recovery as gainſt tenant for life.

Error in the Eſchequer.

2 ¶ In all caſes touching the Queene or other perſons where a man complayneth of error made in proces in the Eſchequer, the Chauncelour and Treasourer ſhall cauſe to come before them in any chamber of counſell nigh the Eſchequer, the record of the proces out of the Eſchequer, and taking to them the Juſtices, and ſuch other ſages as they ſhall thinke meete, they ſhal call before them the Barons of the Eſchequer to heare their Informations and the cauſes of their iudgements, and ſhall duely examine the matter. And if any error be found, they ſhall correct it, and amende the roules, and after ſend them backe into the Eſchequer thereof to make execution, as the cauſe requireth. 31. Ed. 3. 12.

Judgements giuen in the Kings Bench.

3 ¶ Where any iudgement ſhall at any time hereafter be giuen in the court of the Kings bench, in any ſuit or accion of debt, detinue, couſe,

covenant, accompt, action vpon the case, Electione firme, or trespass, first commenced or to be first commenced there (other then such only where the Queene shalbe partie) the partie plaintife, or defendant against whom any such iudgement shalbe giuen, may at his election sue forth out of the court of Chauncerie, a speciall writ of error to be deuised in the said court of Chauncerie, directed to the chiefe Justice of the said court of the kings bench for the time being, commaunding him to cause the said record, and all things concerning the said iudgement, to be brought before the Justices of the common Bench, and the Barons of the Eschequer, into the Eschequer chamber, there to be examined by the saide Justices of the common Bench, and Barons aforesayd, which sayd Justices of the common Bench, and such Barons of the Eschequer as are of the degree of the coife, or sixe of them at the least, by vertue of this present Act, shall thereupon haue full power and authoritie to examine al such errors, as shalbe assigned or found, in or vpon any such iudgement, and thereupon to reuerse or affirme the said iudgement, as the Law shall require, other then for errors to be assigned or found, for or concerning the iurisdiction of the said court of Kings bench, or for any want of forme in any writte, returne, plaint, bill, declaration, or other pleading, processe, verdict, or proceeding whatsoeuer: And after that the said iudgement shalbe affirmed or reuerfed, the said record and all things concerning y same, shalbe remoued and brought backe into the said court of the Kings Bench, that such further proceeding may be thereupon, aswel for execution as otherwise, as shall appertaine. 27. El. 8.

examined and affirmed, or reuerfed by the Justices of the common place, and Barons of the Eschequer.

4 And such reuersal or affirmation of any such former iudgement, shall not be so finall, but that the partie who findeth him grieved therewith, shall and may sue in the high Court of Parliament, for the further, and due examination of the said iudgement, in such sort as is now vsed vpon erroneous iudgements, in the saide Court of Kings bench. 27. El. 8.

Erronious iudgement examined in Parliament.

1 That a writ of error shalbe sued in the Kings Bench of erroneous iudgement giuen in the Marshalsey. S. Marshal. 5.

2 Where the defendant in writ of Error shall recouer his costs & damages. S. Damages. 4.

3 That a iudgement giuen after demurrer, shal not be reuerfed by writ of Error, for imperfection in writ pleading, &c. S. Demurrer. 1.

4 Where and for what causes a fine or recouerie may be reuerfed by writte of Error, and where not. S. Fines. 20. 21. 30. 31.

5 Where erroneous iudgements giuen before the Iustices of the xii shires in Wales, shalbe redressed. S. Wales. 24.

Escape

Escape, Elchequer.

Escape.

Escape of an
accomptant.

If the Shirife or Gaoler doe suffer any Chamberlaine, Baylife, Seruant, or other receiuer to goe at libertie, which is committed to prison by the auditors of his accompt, by the common writte of Rempeliare, or otherwise, without his masters assent, and be thereof conuict, he shal answere to the master of such accomptant, the dammages which he hath receiued by the said accomptant, according as they may be proued by the countrey, and he therefore shall haue an Accion of debt, and if the gaoler be insufficient, his superior that committed the gaole vnto him, shalbe answerable by the same writte, West. 2. 13. Ed. 1. 11. S. Accomptant. 2.

Leuieing of
money for
escapes.

2 **I**f the Sherife or any other doe take, or leuie any thing for the escape of any felon, before it be adiudged by the Iustice in Eire, he shal restore to the party, or him that paid it, as much as he receiued, and to the D. as much, West. 1. 3. Ed. 1. 4. for the escape of felons and clerkes conuict shall be adiudged by the same Iustices and by their viewe leuied. 31. Ed. 3. 14.

A prisoner
condemned
goeth by baile
or baston.

3 **I**f the warden of the Fleete, doe suffer any prisoner there being by iudgement at the suite of the partie, to goe out of prison by Baile, Mainprise, or Baston, without agreeing with the partie at whose suite he is there (except it be by the Queenes writte or commandement) he shall lose his office. And if the said Warden be attainted by due proces, the Plaintiffe shall haue his recouerie against him by Accion of debt, wherein no P. & C. 1. R. 2. 12. It seemeth by 7. H. 4. 4. that the wardens of the prisons of the Marshallsie, Kinges Bench, and other prisons in Cities, Boroughes, and Townes, are chargeable accordingly, if they let any prisoners condemned goe at libertie.

1 How they shall be punished which doe procure the escape of any person committed to prison by the Queenes commandement, S. Prison. 8.

2 That the Towne shalbe amerced for the escape of a murtherer. S. Murder. 1.

3 How an escape of him which disturbeth a preacher in his Sermon, shalbe enquired of, presented, and punished, S. Preachers. 3.

4 That Iustices of peace haue authoritie to enquire of escapes of felons, S. Iustices of peace. 19.

Eschequer.

Clerke making
proces
for debt which
is paid.

If a clerke of the Eschequer make any writ or proces for to proue that a debte of newe, which hath bene payde, and the tales thereof

ioyned and allowed in the said Eschequer, he shall lose his office, and be imprisoned until he hath satisfied the partie so much as by the discretion of the Treasor and Barons he is endammaged. 1.R.2.5.

2 ¶ If any officer of the Eschequer doe take of any Archbishop, Bishoppe, or other person having charge, with the collection and payment of the Tenth of Spirituall promotions, any rewarde or thing for making his accōpt, or Quictus est, in the same Eschequer, or for any thing pertaining to the same concerning the Tenth, hee shall forfeite his office, and make fine at the Queenes pleasure. 26. H. 8. 3.

Nothing shal be taken of him which payeth the Tenth.

1 That Collectors of dismes accompting in the Eschequer shall not be bound to answer to other mens billes exhibited against the there, S. Accomptants to the Q. 49.

2 The maner of reforming erroneous iudgementes giuen in the Eschequer, S. Error. 2.

Escheto.

If any person named, and certified into the Chauncerie by the Lorde Treasor to be Escheto, doe not within one moneth next after his letters patents shall be offered vnto him, take vpon him the execution of the same office, or els within the time aforesaide appeare in the Eschequer, and shewe a reasonable cause why he ought not so to doe, he shall forfeite for euery such default to the Queene xx. pound. 33. H. 8. 22.

Within what time an Escheto appointed shall take or refuse the office.

2 ¶ An Escheto which shall sitte onely by vertue of his office to enquire of the tenure, title, or value of any landes, tenementes, or hereditaments, being of the yerely value of v. li. or aboue, and holden of the Queene without the Queenes writ directed to him for y^e same, shall forfeite v. li. for euery time that he shall sit and make enquirie to the contrary. &c. 33. H. 8. 22.

An Escheto shall not finde an office of landes to the value of v. li. virtute officii.

3 ¶ If any Escheto doeth take aboue the summe of xv. s. for the finding of an office of any landes, tenementes, or hereditamentes, not exceeding the cleare yerely value of v. li. vj. s. for y^e Escheto's fee vi. s. viii. d. for the writing of the office iii. s. iiii. d. for the charges of the Jurie iii. s. and for the officers that shall receiue the said office in any court of record ii. s. he shall forfeit for euery time so offending v. li. to the Q. and to be recovered by A. J. &c. wherein no W. C. P. &c. 33. H. 8. 22.

The eschetors fees when the land doth not exceede v. li.

4 ¶ If any Escheto, or commissioner doeth retorne, or put into any of the Queenes courts, any Inquisitions, or offices concerning landes, tenements, or hereditaments not found nor presented by the othes of twelue men, and indented, and by them sealed, the sayde Escheto

Officers retourned not found or not sealed by the Jurie.

Escheto.

eschetoꝝ oꝝ commissioner shall forf. for euery such office oꝝ inquisition so returned C.li. to the partie oꝝ parties grieved by any such inquisition oꝝ office. 1. H. 8. 8. 3. H. 8. 2.

Not sufficient
of freeholde.

5 ¶ If an Eschetoꝝ, oꝝ any other by vertue of any commission doeth sit to inquire of lands, tenements oꝝ hereditaments, except he, oꝝ other to his vse, hath landes, tenementes oꝝ hereditamentes, of the peerely value of xl. markes aboue all charges, he shall forfeite xx. li. (without he be an Eschetoꝝ in a citie, oꝝ towne corporate, oꝝ made by some person hauing priuiledge thereunto, and except the Eschetoꝝs of the counties Palantine of Lancaster and Chester:) for any person being not sufficient of freeholde may refuse to sit vpon the same commission, and vpon proces made against him out of the Eschequer shal be discharged vpon his oth for non sufficiencie without fine oꝝ fee. 1. H. 8. 8. 3. H. 8. 2.

Euery man
may giue evi-
dence vpon an
office.

6 ¶ If any Eschetoꝝ oꝝ commissioner will deny any person to giue euidence openly in his presence to such enquestes as shalbe taken before him for the finding of any office, hee shal forf. xl. li. 1. H. 8. 8. 3. H. 8. 2.

The Eschetoꝝ
shal receiue an
office & deliuer
the counter-
pane.

7 ¶ If an Eschetoꝝ oꝝ commissioner, oꝝ part of the commissio-
ners (after an enquest before him sworne to enquire of landes, &c. bee
ready to giue their verdict and offer to present the same) doe not re-
ceiue the same verdict without further delay, and also doe not deli-
uer the counterpane of the office oꝝ inquisition by the Jury found in-
dented and sealed by himselfe, to the same Jury, to the intent it may
be deliuered and rest in the possession of the first person of the saide
Jury, the Eschetoꝝ oꝝ commissioner which so offendeth shal forfeite
C.li. to the P. grieved to be recovered by A. of debt, and euery of the
Jurors sworne which shall not receiue the counterpane of the said of-
fice indented and sealed by the Eschetoꝝ oꝝ commissioner, oꝝ shall not
suffer the same to rest in the possession of the first man of the Jurie,
shal forf. xx. s. to the D. and J. to be recovered by A. of debt, wherein
no W. E. P. &c. 1. H. 8. 8. 3. H. 8. 2.

How long one
shal be Esche-
toꝝ.

8 ¶ If an Eschetoꝝ doe exercise his office by reason of one pa-
tent ouer one whole peere, oꝝ be made Eschetoꝝ within thre peeres
after, then after the said peere ended his patent shalbe voyde, except
he be Eschetoꝝ by patent oꝝ graunt in any citie oꝝ towne corporate,
oꝝ in the Duchie of Lancaster oꝝ Cornewall, oꝝ in any Countie Pa-
lantine, oꝝ made by any person hauing authoritie by any priuiledge,
prescription, oꝝ graunt to make Eschetoꝝ. 1. Hen. 8. 8. 3. Hen. 2. 14.
Ed. 3. 8.

Within what
time & where

9 ¶ If an Eschetoꝝ doeth not take his enquest of office by ver-
tue

the of a diem clausit extremum, or any other writ within the moneth next after the deliuerie of the sayd writ vnto him, (or if he doe not take such enquestes in good towne and open places, 3. H. 8. 2.) or if he doe take priuily or openly, by him selfe or any other aboute the summe of fourty shillings for the execution of any writ in one countie, hee shall forfeite for euery offence fourty pounce. 23. H. 6. 17. S. 34. Ed. 3. 13. 36. Ed. 3. 13. That if the Eschetoꝝ do not take his enquestes in good towne openly, and by honest men of good fame, and hauing sufficient in the same countie, and by Indenture betwixt the Eschetoꝝ and the Jurors, the same enquestes shalbe voide, & the Eschetoꝝ shall be two yeeres imprisoned, and punished at the Queenes pleasure. But for these penalties Quere.

an Eschetoꝝ shall take his enquest.

Eschetoꝝ fee.

10 ¶ If an Eschetoꝝ or Commissioner doeth take any Office before him, and doeth not returne the same into the Chauncerie, or Eschequer within a moneth after the taking thereof, he shall forfeite fourty pound and also pay to the Queene so much as shee is indamaged by not returning thereof. 8. Hen. 6. 16. 18. Hen. 6. 7. But if the Clerke of the petit bagge of the Chauncerie, or his deputie, or any other officer there hauing authoritic to receiue any such office or inquisition, to whose handes any such office shall come, will not receiue the same, and put it on the files, to remaine of recorde, within thre dayes after it be receiued, or offered to him, the clerke shall forfeite for euery default fourty pounce, and the Eschetoꝝ or Commissioners shall be discharged of the foresaide forfeiture of xl. li. 1. H. 8. 8. 3. H. 8. 2. S. Office. 5. 6.

Quere.

Within what time an office shalbe returned.

11 ¶ If any Eschetoꝝ or Commissioner doeth take any enquest of enquirie of any other persons, but of such as bee returned and impanelled by the Sherife of the countie where he is Eschetoꝝ or Commissioner, he shall forfeit xl. li. 8. H. 6. 16. 18. H. 6. 7.

Enquest returned by the Sheriffe.

12 ¶ No Eschetoꝝ shall sell or let to farme his office, nor shall make any deputie but such for whom hee will answer at his perill. And the Eschetoꝝ shall certifie the name of his Deputie or Deputies vnder his letters patents to the Treasorer and Barons of the Eschequer within twenty dayes after deputation made. And no Deputie shall take vpon him to occupie the said office except the Eschetoꝝ hath landes, tenementes or rentes, to the value of twenty pounce, vpon paine of forfeiture for euery offence fourty pound to the Queene and Informer, to be recouered by A. of debt, wherein no W. C. P. &c. 12. Edw. 4. 9. But the Eschetoꝝ himselfe shall not sitte to enquire of landes or tenementes, except he hath landes to the value of fourty marks. Et Quere if the statute. 1. H. 8. 8. 3. H. 8. 2. doe not therein take away the

Eschetoꝝs deputie.

Eltretes.

the force of this statute. S. 5.

13 **E**uery Eschetor hath authoritie to enquire by the othes of xii. lawfull men of euery offence done contrarie to the stat. provided 7. Ed. 6. to auoyde the great prices, and excesse of wines. And euery enquirie and presentment taken by the othes of twelue men, shall be of such force, as if it were taken in the Kings Bench. 7. Edward. 6. 5. S. Wines.

1 That assise lyeth against an Eschetor which by colour of his office disseiseth any man. S. Assise. 4.

2 That an Eschetor shall haue no fee, nor committe waste in the lands of the Queenes wardes. S. Wardes. 23.

3 That Eschetors may enquire of counterfeitors of waights, and punish them. S. Waights. 13.

4 For the Eschetors duetie concerning finding of offices, &c. S. Offices.

5 What Iurors shall be returned before the Eschetors or Commissioners. S. Iurors. 13.

6 Who shalbe Eschetors in the xii. shires in Wales, who shall name them, their office, duetie, &c. S. Wales. 51.

Estretes.

*Estretes shal
be shewed to
the party and
totted.*

If any Shiriffe or minister of his, hauing receiued the greene ware to leuie the Queenes debts, doe not shewe to the partie indebted the estretes sealed, and totte the same which is payde, but that the debt which in that sorte is once payed, is another time demaunded of the partie, the said sherife &c. shall pay to the p. griued his treble dammages and make fine to the Q. 42. Ed. 3. 9. S. Accomptants to the Q. 45.

*Rolles of
estretes shal be
made certaine.*

2 **T**he Judge (before whome any issues or amerciaments be forfeited) shall charge the Clerke of the court vpon his othe, that he make the rolles of the estretes of such issues and amerciamentes distinctly by expresse worde of the cause of the losse, of the terme of the peere, the nature of the writte, and betwixt what parties such issues, &c. be lost. 7. H. 4. 3.

1 That Sherifes shall make no estretes vntill two Iustices haue had the viewe of them, which estretes shalbe indented and the Iustices shall haue one part. S. Sherifes. 14. 18. 20.

2 To euery estrete of Issues against a Iuror, his addition shall be put. S. Iurors. 34.

If a writte Excommunicato capiendo bee awarded agaynst any person beeing out of prison, within the Realme, of full age, of perfect memorie, and no married wife, with sufficient addicion of the defendants name, degree, Countye, and dwelling place, (according to the Statute of 1. Henrici. 5. 5.) And that in the significant it bee contayned that the excommunication doeth proceede vpon some matter of heresie, refusing to haue his childe baptized, to receiue the communion, or to come to diuine seruice nowe vsed, or for errours in matters of Religion or Doctrine, nowe allowed in the Church of Englad: or for incontinencie, Usurie, Simonie, Periurie in the Ecclesiasticall Court, or Idolatrie, the Sheriffe or other Officer shall not bee compelled to bring the bodie of such person named in the writte into the Kinges Bench, but shall returne the writte with declaration briefly howe hee hath executed the same. And if hee doeth returne that the partie named in the writte can not bee founde within his Bailwicke, Then the Iustices of the Kinges Bench shall award a Capias agaynst the foresayde person returnable in the same Court in the terme time, twoe monethes, at the least next after the Terme thereof, with a Proclamation to bee contayned therein, that the Shirife or other officer in the full county Court at the generall asise, Spale deliuary, or quarter sessions in the same countye, shall make Proclamation at the least tenne dayes befoze the reurne of the Capias, that the sayde partye shall within vi. dayes next after yeelde his bodie to the sherifes prison, there to remaine as a prisoner. And if the saide partie doeth not yeelde himselfe to the prison according to the effect of the said proclamation, shall forf. to the Q. r. li. And then shall another Capias in like sort be awarded with the like proclamation against the foresaid person, at which day if he doe not yeeld himselfe to the sherifes prison, he shal forf. xx. li. And so Capias with proclamations infinite shalbe awarded with like paines, vntil the party hath yel- ded himselfe, And when any person shal yelde his body to the sheriffe or other officer, vpon any of the said writs of Capias, Then he shall remaine in prison and custodie of the sheriffe or other officer, without Bayle Baston, or mainprise, in such maner to al intents, as he should haue done if he had bene apprehended vpon the said writ, Sauing to Bischoppes and others hauing auctoritie to certifie any person excommunicate, like auctoritie to receiue the Submission, and satisfaction of the said person, and him to absolue, and the same to signifie into the chauncerie, and thereupon to haue writs for the deliuerance of the person so absolved from the sherifes prison, as they heretofore haue had. 5. El. 23.

Proces in ex-
communicato
capiendo.

Excommuni-
cato delibe-
rando.

Execution.

2 ¶ But if the offender against whom the said writ shall be awarded, shall not haue a sufficient and lawfull addition according to the said statute. 1. Hen. 5. Or if in the significavit, it be not conteyned, that the excommunication doeth proceede vpon some of the causes or offences aforesaid, then al paines and forfeitures limited against such persons by this statute by reason of such writte of Excommunicato capiendo, shalbe voyd, and by way of pleading allowed to the P. grieued. 5. El. 23.

Proces where
the Queenes
writ runneth
not.

3 ¶ After a significavit is in the chauncerie of record, the tenour of the same shalbe sent by Mittimus to the head officers of such of the Countrey of Wales, of the Counties Palantine of Lancaster, Chester, Durham, and Ely, and in the five portes, where the Queenes writte runneth not, and proces of Capias, from thence not returnable into the Kings bench, within whose office or Jurisdiction the offender is resiant. And thereupon euery of the said officers shall haue like power to make proces to euery of the inferior officers to whome execution thereof doeth appertaine, returnable before the Iustices there, at their next Session or court within two moneths next after y^e Terme thereof, so as in euery degree they shal proceede in their Sessions and courts against the offenders, as the Iustices of the Kinges Bench a-boue are limited in terme times to doe. 5. El. 23.

1 Excommunication for smiting, or laying violent handes in a Church or Churchyard. S. Fighting. 3. 4.

2 Excommunication for disobeying the sentence of an Ecclesiasticall Iudge in causes of tithes. S. Tithes. 35.

3 That in the writte of Excommunicato capiendo there shall be an addition of the def. name. S. Addition. 2.

4 What the Sherife shal forsaite which maketh an vntrue returne vpon an excommunicato capiendo. S. Returne of Sherifes. 9.

Execution.

Execution by
Fieri facias, or
Elegit.

¶ When a debt is recovered or confessed in the Queenes court, or damages awarded, it is in his election which doeth pursue for such debt or damages, to sue a writ of Fieri fac. That is, that the Sherife shal leuie so much of the landes and chattels of the debtor, or else an Elegit, v^z. that the Sherife shal deliuer vnto him al the goods and chattels of the debtor, (sauing his oxen and Beasts of his plough) and the one halfe of his landes, vntill the debt bee leuied vpon a reasonable price and extent, and if he be put out of the same landes, hee shal recover by assise of nouell disseisin, and after by a writte of redisseisin if neede be. West. 2. 13. Ed. 1. 18.

2 ¶ There

2 ¶ There shall be no proces awarded by summons, attachment, essoin, viewe of land, and other solemnities of those thinges which be recorded before the Chancelor or Iustices, and inrolled in the roules, as is vsed in bargaine and Couenants made out of the Courte, But those thinges which be found inrouled before them, which haue record, or contayned in any fines, whether they bee contracts, couenants, obligations, seruices or customes knowledged, or any other thing inrouled, wherein the Queenes Court, without offence of law and custome, may execute their authoritie, bee of that force, that it shall not be needefull to plead for them. But if the knowledge be newe, or the fine leuied within a yeere, the plaintife shall haue a writ of execution. And if the cognisance, or fine haue bene of long tyme, a Scire fac. shall bee directed to the Shirife to warne the party, against whom the complaint is made, to appeare before the Iustices at a certayne day, and shewe why execution shoulde not bee made of that which is inrolled or contayned in the fine. And if he appeare not at the day, or doe appeare, and can shewe nothing why execution shoulde not be awarded, the Shirife shall be commanded to execute the thinges inrolled or contayned in the fine. And in like sort shal the Ordinarie be commanded, in case where. &c. West. 2. 13. Ed. 1. 45.

Execution of
thinges recor-
ded.

3 ¶ If any such landes, tenements, or hereditaments, as shall be had and deliuered to any person in execution vpon a Iudgement giuen for him, of his debt or damages vpon a Statute marchant, Stat. of the Staple, or recognisance to him before made or knowledged, or vpon any lawfull title or cause wherewith the sayd landes &c. were liable and bounde, at such time as they were deliuered and taken into execution, shall happen to be recouered, lawfully deuested, taken or euicted, from the possession of any such person as shall haue the same in execution, without any fraude or other default of the sayde tenant by execution, before the sayde Tenant, his Executors, or assignes shall haue leuyed or receyued the sayd whole Debt and damages, for the which the sayde landes &c. were deliuered and taken in Execution, Then euery such Recouerer, Obligee and recognisee, shall and may haue and pursue a writte of Scire facias out of the same Court, from whence the sayd former writ of Execution did proceede, against such person or persons, as the sayde writte of execution was first pursued, their heires, executors or assignes, of such landes, tenementes or hereditamentes, as were or bene then liable to the sayd Execution, returnable into the same Court at a certayne day being full xl. dayes after the date of the same writte, at which day if the defendaunt (being lawfully warned) make default, or appeare, and doe not shew and plead a

A remedie for
the Cognisee
where landes
taken by him
in execution
bee recouered.

Executors.

sufficient cause, other then the acceptant of the said landes, &c. by the said former writte of execution, to barre or discharge the said suite, for the residue of the said debt and damages remayning vnlouied, or vnreceiued by the said former execution: Then y^e Lord Chancellor, or other such Justice or Justices befoze whom such writte of Scire facias shalbe returnable, shall make estloones a new writte or writtes out of the said former Record of Judgement, stat. Marchant, stat. Staple or recognisance, of like nature and effect, as the said former writte of execution was, for the leuying of the residue of all such debt and damages, as then shall appere to be vnlouied, vnsatisfied, or vnpaide of the whole summe in the saide former writte of execution contained. 32. H. 8. 5.

Executors.

A remedie for
executors for
things done
in the life of
the testator.

Executors shall haue a writte of accompt, and like Accion and p^{ro}ces in the same writte, as their testator should haue had if hee had liued. (West. 2. 13. Ed. 1. 23.) And executors shall haue an Accion of Trespas against Trespassors for a Trespas done to their Testator of the goods, and cattels of the same Testator caried away in his life time, And shall recouer their damages in such maner, as he whose Executors they be, should haue done if he had liued. 4. Ed. 3. 7.

Executors of
Executors.

2 **E**xecutors of executors shall haue an accion of accompt, of debt, and of goods taken away of the first Testators, and executio of statutes Marchants and recognisances knowledged in Court of Recorde to the first Testator, in the same maner as the first Testator should haue had, if he had liued. And the same Executors of executors shal answere other men so much, as they haue recouered of the goods of the first testators, as the first executors should haue done if they had liued. 25. Ed. 3. 5.

Part of the
executors may
sell h^{is} land deuise
d to be sold.

3 **W**here part of the Executors named in any Testament of any person making any will of any landes, tenements or other hereditaments, to be solde by his Executors after the death of any such testator, doe refuse to take vpon him or them, the administration and charge of the same testament, wherein they be so named to be executors: and the residue do take vpon them the charge of the same Testament: Then all bargaines, and sales of such landes &c. (so willed to be solde, by the Executors of any such testator) made by him or them onely, of the said Executors, that so doeth take vpon him or them, any such cure or administration of any such will, shalbe as good and effectiual in the Law, as is al the residue of the same Executors, named in the

the said testament had ioyned with him or them in the making of the bargain and sale of such landes, tenements, or other hereditaments so willed to bee solde, by the executors of any such testator which shall make such will. 21. H. 8. 4.

4 **I**n a writ of debt brought against diuers executors, they shall not fourche by *Essoine* before apparance nor after, so that they shall haue but one *Essoine*, as their testator should haue had. And the executor or executors, which doe first appeare at the grand distresse returned, shal answere the plaintife, & if iudgement passe for the plaintife, the iudgement and execution shall bee against them which haue pleaded, and al the residue named in the writ of the goods of the testator, as if they had all assented to plead. 9. Ed. 3. 5.

Fourcher by
Essoine.

The executor
which first ap-
peareth shall
answere.

1 Howe executors shall recouer rents due in the time of their testator. S. Rents. 1.

2 That the fathers executors be bound to satisfie the daughter of ayde receiued. S. Aide &c. 1.

3 That executors may maintaine a writ of Idemptitate nominis. S. Shirifes. 23.

4 That Ordinaries shal answere as executors as far as the goods wil extend. S. Ordinarie. 1.

5 That the money or profit of lands willed to be sold, shal not be taken as any of the goods of the testator. S. Probat. &c. 8.

6 What executors or others shall pay to the ordinarie for the probate of testament. S. Probat. 1. 2. 3.

7 Where the heire being charged, shall haue remedie against his Auncestors executors. S. Accomptants to the Queene. 27. 43.

8 Where the executors of the King or Queene of this Realme, and where the heire shall haue the specialties not paide &c. See Accomptants to the Queene. 2.

Exemplification.

Every patentee, his heires, successors, executors and assignes, and every other person hauing by, from or vnder his or their title, any estate or interest of, in, or to landes, tenementes, hereditaments, or other thing whatsoever to such patentee heretofore graunted by any letters Patentes by any King or Queene of this Realme at any time sithence 4. Februarii. Ann. 27. Hen. 8. or hereafter to be graunted by the Queenes Maiestie, her heires or successors, shall and may at al times in the Queenes Courts &c. and else where, make and conuey to and for himselfe such clayme or title by way of declaration, plaint, barre, auowrie, replication or other pleading whatsoever, as well against the Queene &c. and every other person for or concerning the

Exemplifica-
tion of the
Queenes let-
ters patents.

Exigent and Outlawrie.

the landes, hereditamentes, or other thinges conteyned in such letters patentes, or for, or concerning any part thereof, by shewing forth an Exemplification or Constat vnder the great seale of Englands, of the inrolement of the same letters patentes, or of so much thereof as may serue to, or for such title, claime, or matter (the same letters Patentis then remayning in force not lawfully surrendred nor cancelled) for & concerning so much, and such part of such lands &c. whereunto such title or claime shalbe made, as if the same letters Patentis were pleaded and shewed forth. 13. El. 6. 3. Ed. 6. 4.

1 That no fines or Recoveries shalbe amended after exemplification thereof, S. Fines, 28. 37.

Exigent and Outlawrie.

Exigent in
trespasse con-
tra pacem.

No pardon of
outlawry
without agree-
ment with the
plaintife.

NO Exigent shalbe awarded, where a man is indicted of trespass, (except it be against the peace) 18. Ed. 3. 5.

2 **W**here the plaintife doeth recover damages, and hee against whom the damages bee recovered is outlawed at the Queenes suite, no charter of pardon shall bee graunted of his outlawry (except the Chaunceloz of England be certified that the plaintife is agreed with all for his damages.) 5. Ed. 3. 12.

No pardon of
outlawry be-
fore the parry
doth peeld him-
selfe to prison.

3 **W**here a man is outlawed by proces before hee doeth appeare, no charter of pardon shalbe graunted, except the Chaunceloz be certified that he which is outlawed hath peelded himselfe to prison before the Iustices of the court from whence the Exigent was awarded, that is, if from the Kinges Bench, then hee shall render himselfe to the same court, if from the common pleas, then hee shall render himselfe thither, and if from Iustices assigned to heare and determine, sitting the same Iustices, hee shall peeld himselfe before them, and if they be risen, then hee shall peeld himselfe in the Kinges Bench before the Iustices, and the record and proces shall bee removed before them by writ. And the Iustices before whom they shall so peeld themselves, shall cause the plaintife to be warned to be at a certaine day before them, at which day if the warning be duly witnessed or certified, and the plaintife doe appeare vpon the same warning, then they shall plead vpon the first originall writ, as though no Outlawrie had bene pronounced, and if the plaintife come not, hee that is outlawed shall bee deliuered by vertue of his charter. 5. Ed. 3. 12.

Outlawrie be-
feared by im-
prisonment.

4 **I**f any man will defeate an outlawrie pronounced agaynst him, by reason of imprisonment certified by the Shirife or others which haue no recorde, he shall peeld himselfe to prison, and then the Iustices of the kinges Bench shall cause the partie to be warned at whose suite the outlawrie was pronounced, to be before them at a cer-
taine

taine day, at which day if the partie will auerre, that the certificate is untrue, his auerment shall bee receiued, And in like maner shall the Queenes Serieant or Atturney, or any other that will sue for the D. bee receyued to haue such auerment against such certificate, where the outlawrie is pronounced at the Queenes suit. 5. Ed. 3. 13.

5 ¶ If, and where a writte of Exigent shall bee awarded at the suite of the Queene, or any other plaintife in any accion personall agaynst any person, called of any Shire or Citie, being a Shire corporate of it selfe, or else late of any such Shire or Citie, other then into such Shire or Citie, whereunto such Exigent shall bee awarded to bee called according to the lawe, and also in euerie writte of Exigent in any accion personall, whereof the proces or Exigent shall bee directed into London or Middlesex, the defendant being called late of London, or late of Middlesex, and at the time of the Exigent awarded, not dwelling in London nor in Middlesex, or els that the sayde defendant or defendants in the same Exigent dwell in any other Shire or place, then where the Queenes writte runneth, then the Iustices before whom any such Exigent is to bee awarded, in all accions where the Exigent shall not be directed into London or Middlesex, shal award a writ of proclamation to be directed to the Shirife of the same Countie, where it doeth appeare by the vsing of such accion that the partie defendant is, or lately was dwelling, if the Queenes writte there be currant, or else to the next Shire adioyning to the Countie or Counties or other places whereof the partie is called or lately supposed by the said Exigent to haue his being, where the Queenes writte so runneth not, and in euerie accion whereof the Exigent shal be directed into London or Middlesex, and the defendant in the same called late of London or Middlesex, & at the time of the Exigent awarded not dwelling in London or Middlesex, Then the writ of proclamation shall be directed vnto the Sherife of the Shire where the defendant at the time of the Exigent so awarded shal haue his dwelling, or in case where the Queenes writte runneth not, vnto the next Shire thereunto adioyning, the which said writ of Proclamation shall containe the effect of the same accion, and the Shirife of the Countie to whome any such writte of Proclamation shall be directed, shall make three Proclamations within his countie at three seuerall dayes, viz. two in the full Shire Court of the same Countie, & the third at the generall Sessions in those parties, where the partie defendant is supposed to bee dwelling, or in the parties of the Countie next adioyning to the Countie or Counties where the Queenes writ runneth not, that the partie defendant yeelde himselfe to

Proclamations
awarded into
a foraine
Countie.

Proclamations
where the par-
tie is dwelling
in a Countie
Palantine,

3. Proclama-
tions.

The Proclamation shall be delivered to the Shire of record.

Outlawrie as noped by a uerment.

Exigent against any person dwelling in the xi. shires in Wales or in Lancaster shire, Cheshire or Chester.

to the Sherife of the foraine Countie, to whom any such Exigent in any accion personall is awarded, so that the Shire of such foraine Countie may vpon his yeelding, haue his body before the Iustices, before whom any such exigent is awarded at the day of the same Exigent comprised, there to answere to the plaintife in the same according to the lawe. And euery such writ of Proclamation shall haue the same day of returne, as the writte of Exigent vpon such foraine accions so awarded shall haue, and euery such writte of proclamation shall be deliuered of recorde to the Shire or deputie of the Countie into the which any such writ of proclamation is to bee awarded, and the Shire of the same Countie shall duely execute the same, & thereof make true returne at the day of the same writte appointed, vpon paine to forfeite such amercement vnto the Queene and her heires, as by the Iustices before whome such Exigent shall bee returnable shall be set, and the officer in whose office such exigent is taken, shall make out the sayd writ and writtes of proclamation as shall be awarded in any of the sayd Courtes, and shall take no more for the making of any such writ, and the entring of the same of recorde, but only vi. d. And if any outlawrie bee had, or promulged against any person in any accion personal in any foraine Countie, and no writte of proclamation (as is aforesaid) awarded & returned, the euery such outlawry shall be utterly voyd. And al outlawries had contrary to this act shall be auoyded by Auerment, without suynge of any writ of error. 6. H. 8. 4. S. Indictment. 4. 5. proces into a foraine Countie vpon an Indictment of Felonie, Treason or Trespas.

6 ¶ Whensoever any writ of Exigent shalbe awarded at the suit of the D. or any other person plaintife in any action or suit in y^e kings bench, or commoⁿ p^lees, against any person dwelling in any of the xii. counties in Wales or in any of the counties palantine of Lanc. Chester, or the Citie of Chester, then immediatly vpon the awarding of euery such exigent, the Iustices before whome any such exigent shall bee sued &c. haue authoritie to award one writ of proclamation, according to the tenor and effect of proclamations awarded vpon exigents directed out of any of the sayd Courts into London, or into any other Shires within this Realme, against any other person dwelling in any other Shire where the Queenes writ is currant, according to the order & forme of the foresaid statute 6. Hen. 8. to bee directed to such of the Shires of any of the foresaid Counties in Wales, & of Lancaster, Chester and of the Citie of Chester, where it shal happen the said defendant against whom the said accioⁿ shalbe sued, to be dwelling. (But of the writs directed to the Shire of the Countie of Lancaster, none shalbe

shalbe directed to the shirife of any other countie next adioyning, according to the foresaid statute of 6. H. 8. 5. Ed. 6. 26.) And euery such writ of proclamation shal haue the same Teste, and day of returne as the Exigentes, whereupon euery such writ of proclamation shal be awarded shal haue, and euery shirife to whome any such writ of proclamation shal bee directed, shal make proclamation of the sayd writ of proclamation, according to the tenor of the same, and shal make true returne of the same in such Court, and before such Iustices, as the tenor of the same writ shal require. And all outlawries pronounced or promulged against any person vpon any such Exigent awarded agaynst any person dwelling in any of the sayd Counties, and no writte of proclamation awarded in forme abouesayde to the shirife of the Countie, where the partie defendand shal bee dwelling, or not returned, shalbe boide. 1. Ed. 6. 10.

7 ¶ Euery shirife of euery of the said counties of Wales & of the counties palantine of Lancaster, Chester, & of the city of Chester, shal haue in euery of the Courts of the Kings bench, and common ples, one sufficient deputie at the least, to receiue all writs directed to such shirife, for whome the same deputie or deputies shal be appointed, in like maner and forme, and vpon like paines, as by the lawes and statutes of this realme other shirifes of other shires within this Realme of England bee bound to haue in either of the same Courtes. And all writs of proclamation shal be deliuered vnto euery such deputie of recorde, in the same courts: And also like fees shalbe payed for making euery such writ of proclamation, and for the inrolling of the same of record, as is before limited in the stat. of 6. H. 8. 1. Ed. 6. 10. 5. Ed. 6. 26. 23. Hen. 6. 10. S. Shirifes. 10.

These shirifes shal haue deputies in the comon place & Kings bench.

8 ¶ If any such writte of proclamation directed to any of the shirifes of any of the said xii. shires in Wales, or counties palantine &c. be deliuered to any of the said shirifes or to his Deputie, and the same shirife do not make true returne thereof into such Court, out of which the sayd writ of proclamation shal bee awarded, hee shal forfait for euery default of non returne to the Queene and Informer v. li. to bee recovered by Accion of debt, wherein no W. &c. E. P. &c. 1. Ed. 6. 10. 5. Ed. 6. 26.

The shirifes forfeit. for not returning a writ of proclamation.

9 ¶ If any person dwelling in any of the sayde Counties in Wales shal bee outlawed in any suite or accion aforesayd, then writs of speciall Capias vtlagatum, single Capias vtlagatum, Non molestandum, and all other proces for and against any person outlawed, shal and may bee directed to the shirife of any of the said Counties in Wales, as immediat officers of the Courts of the Kinges Bench

Proces against persons outlawed.

Exigent and Outlawrie.

or common ples in that behalfe. And euery such writs may bee deli-
uered of recorde to the deputie of such of the sayd Shirifes, to whom
any such writ or proces shall be directed. And euery such Shirife shal
make execution, and returne of euery such writte or proces to him di-
rected, vpon paine of for. to the Queene and her heires such amercia-
ment, as by the discretion of the Iustices befoze whome such writte
shall be returnable shalbe set. 1. Ed. 6. 10.

Proces direc-
ted to the
Chancelour of
the Duchie.

10 ¶ If any person dwelling in the Countie Palantine of Lan-
caster, shall be outlawed in any such suite or action, as is aforesaid, the
all writtes of speciall Capias vtlagatum, single Capias vtlagatum,
Non Molestandum, and all other proces for, or against any person
so outlawed, shall and may be directed to the Chauncelloz of the Du-
chie of Lancaster, who shall make like writtes and proces there-
upon, and of like effect, sealed with the Seale of the sayde Countie
Palantine of Lancaster, to bee directed to the Shirife of the sayde
Countie Palantine for the time being, as it hath bene vsed in such ca-
ses. 5. Ed. 6. 26.

11 ¶ But these two statutes nor any thing in them contayned
shall extende, or be preiudiciall to any Lord Marcher in Wales, nor
to any of their heires, nor to the said xii. Counties of Wales, nor to
the sayd Counties Palantine of Lancaster, Chester, or of the Citie of
Chester, concerning such Liberties, Franchises or Priuiledges as
belong to any of them, nor to any Ministers or officers of any of
them, in other maner then by the true meaning of these acts is decla-
red. 1. Ed. 6. 10. 5. Ed. 26.

Exigent vpon
the statute of
liueries.

12 ¶ No Exigent shall bee awarded by the Iustices within the
Counties Palantine of Lancaster or Chester, or the Bishopricke of
Durham, against any person vpon any information, suit, or proces, to
be made by force of the statute prouided. 8. Ed. 4. against giuing of li-
ueries or Badges and retaining. And if any Exigent be awarded, and
outlawrie thereupon pronounced, then the same shall be voyde, with-
out any suit by writ of error or otherwise. 8. Ed. 4. 2.

1 That an Exigent shall not bee awarded against the accessarie,
vntill the principall be attainted. S. appeales. 3.

2 That where an exigent is to be awarded, there shalbe addition
to the defendants name. S. Addition. 1.

3 That proces of Outlawrie awarded against offenders in Trea-
son being out of this Realme, shalbe good. S. Treason. 11.

4 Where one that is supposed to bee outlawed, shall auoyde the
seysure of his lands & goods, by entring into band to the Shirife &c.
to answere the Queene &c. S. Shirifes. 23.

5 That

5 That the indicttee shall forfeit his Cattels by Exigent against him awarded, S. Indict, 5.

6 Where an Exigent shall be awarded against an Accomptant, S. Accompt, 2.

Extorcion. Exaction.

If any Shirife, Coroner, or other Officer of the Queenes, doe take any thing to doe his office, hee shall render double to the partie, West. 1. 3. Ed. 1. 26.

2 If the Sericant, Crier, or Marshall of any iustice, doe wrongfully take money of any which doeth recouer lande, obtaine his suite, leuie a fine, or prosecute any suite touching any plea of the Crowne, hee shall bee punished at the Queenes pleasure, and yeelde treble dammages to the partie grieved. And if hee bee Sericant of fee, his Office shall bee seysed into the Queenes hands, West. 1. 3. Ed. 1. 29. Sericant, Crier
Marshall.

3 For Extorcion by the Shirife, Bailife &c. for arresting for letting to bayle, making of panels, or graunting of Copies, S. Shirife. 6. 7. 8. 9. Shirifes.

4 For Ex. by Auditors, or their Clearkes. S. Auditors, &c. 2. Auditors.

5 For Ex. by Receiuors or their deputies, S. Auditors, 3. Receiuors.

6 For Ex. by them which make dispensations, faculties, licences, or other such instruments. S. Dispensations. 1. Dispensations.

7 For Ex. by them which haue spirituall iurisdiction, or any substitute or minister of theirs for Citations, S. Citation, 3. Spiritual
Judges.

8 For Ex. by the Clerke of the signet or priue seale, S. Clerke of the Signet. 1. Clerke of the
signet.

9 For Ex. of Masters, Wardens of felowships or Craftes, vpon any apprentice, or other whose prentishippe is expired, S. Corporations. 4. Wardens of
felowships.

10 For Ex. by any Coroner. S. Coroner. 16. Coroner.

11 For Ex. by those which haue commissions to leuy musters, or make men serue in the warre. S. Captaines &c. 13. Muster mas-
ters.

12 For Ex. by Clerkes of the Eschequer, of any Bishop or other, that hath the receipt of Tenthes, S. Eschequer, 2. Clerkes of the
Eschequer.

13 For Ex. in Wales without the Commissioners consent, S. Wales. Wales. 104.

14 For Ex. vpon them which trauaile through Forests in wales, S. Wales. Wales. 112.

15 For Ex. by Eschetors, finding Offices of landes, S. Eschetors. Eschetors. 3. 9.

16 For Ex. in the chiefe Clerke of the Common place, for the Custos breuium entring

Faires and Markets.

- entring of the concord of any fine, S. Chirographer. 2.
- Chirographer.** 17 For Ex. in the Chirographer of the common place, his deputy, or Lieutenant. S. Chirographer. 1.
- Admirall.** 18 For Ex. by the Admirall, or any officer of the Admiraltie, of any marchant or fisherman for licence, &c. S. Fish. 2.
- Wardes.** 19 For Ex. by the Officers of the Court of Wardes & Liueries, S. Wardes. 28.
- Officers of courts.** 20 For Ex. by the Officers of any Court which make any writte of proclamation, into a forraine Countie. S. Exigent. 5. 9.
- Marshall.** 21 For Ex. in the Marshall or any of his Officers. S. Marshall. 6.
- Officers of Boroughs.** 22 For Ex. taken by the head Officers of any Borough of Marchants, for Scauage and Sewage. S. Marchants. 2.
- Ordinaries.** 23 In what sort Ordinaries shall be indicted of Extorcion or oppression. S. Ordinarie. 2.
- Ordinaries.** 24 For Ex. by Ordinaries for prouing of willes, or committing of Administation. S. Probate of testament. 12.
- Norwich.** 25 For Ex. in the Maior, Recorder, Stewarde, or Iustice of peace in Norwich for admitting any person to occupie the artes of making Hattes, Couerlets, or Dornikes. S. Hattes. 3. Couerlets. 5.
- Recognisance.** 26 For Ex. for taking, writing, inrolling, or certifying a Recognisance in nature of a statute Staple. S. Statutes. 13.
- Clerke of the market.** 27 For Ex. by Clerkes of the market. S. Clerke of the market. 1.
- First fruites.** 28 For Ex. in taking money for Obligations or acquittances, for first Fruitess. S. Ecclesiasticall persons. 25.

Faires and Markets.

No man shall
keepe a faire
longer then he
ought.

They which haue Faires by Charter or otherwise, shall holde them no longer then they ought to doe, vpon paine of seisure of the same to the Queene, vntill they haue made fine vnto her for the sayd offence. And euery owner of a Faire, shall proclaime at the beginning thereof how long it shall last, and after the sayde time euery Marchant shall shut vp his Booth, and stall, and if any marchant do sell any ware or Marchandize at the sayd faire, after the same bee ended, he shall forsaite the double value of that which he hath solde, to the Q. &c. 2. Ed. 3. 15. 5. Ed. 3. 5.

Certain daies
wherein faires
and markets
may not be
kept.

If any faires or markets bee kept vpon good Friday, Corpus Christi day, Ascension day, all Saintes day, the day of the Assumption of our Lady, Whitsunday, Trinitie Sunday, or other Sunday (the foure Sundaies in haruest excepted) and any goods or marchandize in them be shewed (necessarie vitaille onely excepted) the owners shall forsaite all their goods shewed, to the Lorde of the libertie

or franchise where &c. But they which haue no power to keepe faire or market but vpon such dayes, may keepe it within iii. dayes before or after any of the sayde feastes, after Proclamation first made what day the fayre shall be holden. 27.H.6.5.

3 ¶ If any Stewarde, Understewarde, Bailife, or other Officer or minister of any Court of Pipowders, pertaining to a faire, will holde plea vpon an accion, at the suite of any person, vnlesse the pl. or his Atturney doe in p[re]sence of the defendant sweare vpon the holy Euangelistes vpon his declaration, that the contract or other facte contayned in the declaration, was made or committed within the tyme, Iurisdiction, and boundes of the same faire, hee shall forfeite C.s. to the Queene, and him that will sue by A. of debt: for if the pl. refuse the foresaid othe, the def. ought to bee dismissed out of the same Court, and the pl. shall take his remedie at the common lawe &c. But though the pl. do affirme the same, yet the def. shall not be concluded, but shall answere and pleade to the accion, or in abatement of the playnt, and proffer an issue, that the same contract, trespasse, or other fact, was not committed within the time of the faire, or iurisdiction of the same, but els where &c. But this statute shall not p[re]iudice the Bishop of Durham or his successours, within the liberties of the sayd Bishopricke. 17.Ed.4.2.1.R.3.6.

In euery court of Pipowders the pl. shall be sworne &c.

4 ¶ If the owner, Gouernor, farmor, stewarde, bailife, or chiefe keeper of any faire, or market ouert, where horses, mares, geldings, and coltes haue bene and shall bee vsed to be solde, doe not verely appoint one speciall open place, within the Towne, place, fielde or circuite where horses, mares, geldings or coltes shal be sold, and also one sufficient person or moze to take tolle, & to continue in the same place from x. of the clock in the forenoone, vntil the Sunne be set daily, during the continuance of the sayde faire, hee shall forfeite for euery default xl. shillings to the Queene and informer, to bee recovered before the Iustices of peace, or by A. J. &c. wherein no W. &c. E. P. &c. 2. & 3. P. & M. 7.

A place appointed for horse faire.

Tolle gathered

5 ¶ The Tolle gatherer of euery Faire or Market, shall take his lawful Tolle for euery horse, mare, gelding, and colt sold, exchanged, or put away in the saide Faire &c. and at the open place appointed for the sale of horses, betwixt the houres of ten in the forenoone, and the sunne set, if it be tendred and at no other time or place, and shall haue before him the parties to the bargaine, at the taking of the Tolle, and also the horse &c. solde, and shall write the names, surnames, and dwelling places of the parties, and the colour, and one speciall marke of the horse, or els he shall forfeit. for euery default xl. s. to the Q. and J.

When, where, and of whom, toll for horses shalbe taken.

Faires and Markets.

The using of a
stollen horse to
take away the
owners pro-
prie,

to bee recovered before the Iustices of peace, or by A. J. &c. wherein no W. &c. E. P. &c. For the sale of any stollen horse &c. in a faire or market, shall not take away the propriety from the owner thereof, except the same horse be openly ridden, led, walked, driven, or kept standing by the space of one houre at the least, betweene ten of the clocke in the morning, and the Sunne set, in the open place of the Faire, where Horses are commonly used to bee solde, and not in any house, parde, backside, or other secret place, and vntlesse all the parties to the bargain being present in the sayde Faire &c. shall come together and bring the horse so solde, to the open place appoynted for the Tolle taker, or booke keeper, and there enter their names and dwelling places, and the colour, and one speciall marke of the horse, and pay the Tolle for the same, if any bee payable in that Faire, or else the buyer to giue a peny for entring &c. for where Tolle is not due by reason of the libertie of any Faire or market, the keeper of the booke shall not exact aboue a peny for a contract. And if any horse, mare, gelding, or colt, theeuishly stollen, or taken away, bee solde, giuen, exchanged, or put away in any Faire or market, and not used in all poyntes, as is aforesayde, then the owner thereof may take againe the same, or haue an accion of detinue or repleuin for the same horse. &c. 2. & 3. P. & D. 7.

A note of all
horses sold in
a faire.

6 ¶ The Tolle gatherer or keeper of the booke, shall within one day next after euery Faire or Market ended, bring and deliuer his booke to the owner, Steward, Bailife, or chiefe Gouernour of the Faire &c. who shall cause a note to bee made, of the number of all horses &c. solde at the sayde Faire, and shall subscribe his name or set his marke thereunto. And who so maketh default, shall forfeit. for euery offence fourtic shillings to the Queene and Informer, to bee recovered before the Iustices of peace, or by A. J. &c. wherein no W. &c. E. P. &c. & also shall answer the partie which is griued by his negligence in euery behalfe. 2. & 3. P. & D. 7.

A seale for euery
faire.

7 ¶ S. Statute de Mercatoribus. 13. Ed. 1. The Queene shal provide a seale for faires, & the same shalbe sent vnto euery faire vnder the Queenes seale, by a clerke swozne, or by the keeper of the faire.

Churchyards.

8 ¶ S. Statute Winchester. 13. Ed. 1. 6. Faiores nor markets shall be kept in the Churchyardes, for the honour of the Church.

Londoners
may carie their
wares to any
faire or market

9 ¶ Euery free man, and Citizen of the Citie of London, may leade, carie, or go with his victuall, ware, or marchandize whatsoeuer it be, to any faire or market within England: Any statute or ordinance made or to be made within London to the contrary notwithstanding. And the saide ordinance &c. shalbe voyde, and no person shalbe hurt in losing

losing of his libertie by adnulling of, or not obeying the same. And if any person doe cause another to bee prejudiced by the same, he shal forf. to the Q. & J. x. li. to be recovered by A. of debt. 3. W. 7. 5.

1 Who may buy cattell onely in the Faire and market, and who else where. S. Cattell. 2.

2 That Lordes of faires & markets, shal appoint ii. or iii. to search and seale Lether. S. Lether. 25.

3 That the selling of stole cattell in a faire or market in Wales, shal not alter the propertie. S. Wales. 72.

False iudgement.

NOne (but the Queene) shall hold plea in his court, of false iudgement giuen in the court of his tenants: for such pleas doe specially belong to the Queenes Crowne & dignitie. Marlb. 52. W. 3. 20.

Farmes.

If any person doe take any seuerall Farmes more then one, of any Immanors, lands, tenements, parsonages or tythes within the Isle of Wight, whereof the farme of them all together shall exceede the summe of x. markes peereley, the lessee shall forfeite to the Queene for euery such taking x. pound. 4. W. 7. 16.

2 **W**hosoeuer doeth receiue or take in farme for terme of life, peeres, or at will, by Indenture, Copy of court Rolle, or otherwise, any moe houses, or tenements of husbandrie, whereunto any lands are belonging, in towne, village, hamlet, or tithing within this Realme, aboue the number of ii. such holdes or tenements, or hath or occupieth any such holdes so newly taken to the number of ii. except he be dwelling within the same parishes where such holds be, he shall forfeite to the Q. & J. for euery weeke that he shal haue, occupie or take any profits of such holdes contrary to this Act iii. s. iiii. d. to bee recovered within one yere next after such offence committed, by A. J. & c. where. in no W. & c. E. W. & c. 25. W. 8. 13.

No man shall take aboue two farmes.

1 When landes seysed into the Queenes handes vpon an Enquest taken before an Escheton, may be let to farme, and to whom. S. Patents. 13.

2 That the Shirife shall not let to farme his Countie, his Bailiwicks, hundreds nor wapentakes. S. Shirifes. 5.

3 That Ecclesiasticall persons may not take any farmes. S. Ecclesiasticall. 14. 16.

Felonie.

It is felonie by statute, to sel, exchange or deliuer within Scotland, the batable ground betweene England and Scotland, to the vse of

Conneping
horses into
Scotland.

Felonic.

of any Scottisshman, any horse, mare, or gelding, or to sell, exchange, or deliuer in England, Wales, Barwick, or the Marches of the same, or in the said batable ground, to the intent to be conueyed into Scotland, any horse, mare, or gelding, without the Queenes licence vnder her great seale. And in like sort it is felony to buy the same. And it shal be lawfull to euery of the Queenes subiectes inhabiting in the marches against Scotlande, to arrest any Scottisshman conueying such horse &c. And he shall haue one moitie of the price of the horse, and the Q. the other. 23. H. 8. 16. 1. El. 7. S. Horses. 14.

Transporting
of sheepe.

2 And the second time to bring, sende, deliuer or receiue, or to procure to be bought, sent, deliuered, or receiued into a shippe or bosome, any sheepe being aliue, to be conueyed out of the Queenes dominions. But there shalbe no corruption of blood nor forfe. of lande or dower by reason of this Felonic. 8. El. 3. S. Sheepe. 1. 2.

Enlarging of
prisoners.

3 And to conspire, deuise, inuent, or go about vnlawfully & maliciously to enlarge or set at libertie any person committed to prison, gard, or custodie by the Queenes special commaundement, which is indicted of Treason touching the Queens person, & the same conspiracie &c. by words, writing, or other act, manifestly to set forth or declare. 14. El. 2. to endure during the Queenes life. S. Prisons. 8.

Taking or destroying the
Queenes castles.

4 And vnlawfully to conspire, compasse, imagine, practise, or deuise to take or keepe from the Queene any of her Castels, towers, fortresses, or holdes, or to rase, burne, or destroy any of them, or any part of them, hauing munition or ordinance of the Queenes, or appointed to be garded with souldiers for defence therof, within any the Queenes dominions, or the marches of the same, & the same conspiracie &c. aduisedly by any act, wordes, or writing to declare for any of the malicious & rebellious intents aforesaid, and it is felony to be ayding, counsailling, comforting, or abbetting to any such conspiracie, knowing thereof. 14. El. 1. S. Castles. 1.

Wagabondes.

5 And for a vagabond of the age of xviij. yerres or aboue, which hauing receiued his punishment, or iudgement giuen of whipping and burning through the gristle of the right eare, doeth after 1x. daies after the saide marking, fall againe to a rogish life. And for a Vagabond which vpon his seconde conuiction is taken into seruice, and from thence departeth within two yerres against the wil of him which tooke him into seruice. And for a Vagabonde in the seconde degree conuicted, which shall after a thirde, fourth, or oftener time bee indicted and conuicted of a rogish life. But there shall bee no corruption of blood by any attainder by these felonies, neither shall any person bee accessarie to any felonie made by these. Stat. 14. Eliz. 5. 18. Eliz. 3.

S. Vagabonds. 6.

6 ¶ And to practise, vse, or exercise any Inuocation, or Coniura-
tion of euill and wicked spirits for any intent, or to be ayding or coun-
sailing to any such offendor. But there shalbe no corruption of blood,
or forfaiture of lande or dower, by reason of this felonie. 5. Eliz. 16. S.
Coniuration. 1.

7 ¶ And to exercise witchcraft, enchantment, charme or Sozcery, Witchcraft.
wherby any person shalbe killed or destroyed, or to be ayding or coun-
sailing to any such offendor. But there shalbe no corruption of blood,
or forfeit. of land or dower &c. 5. El. 16. S. Coniuration. 2.

8 ¶ And the seconde time to practise witchcraft, enchantment, Enchantment.
charme or sozcerie, wherby any person shalbe consumed, or lamed in
his bodie or member, or any of his goods or cattels destroyed or impai-
red, being once of the like offence couicted before, or to be counsailing
or ayding to such offendor: But no corruption of blood, or forfaiture
of land or dower &c. 5. El. 16. S. Coniuration. 3.

9 ¶ And to commit Buggery with mankinde or beast. 25. H. 8. 6. Buggerie
5. Eliz. 17.

10 ¶ And for any seruant (other then Apprentice) being of the age
of xviij. yerres to go away with any money, Jewels, goods, or cattels,
or any part therof of his masters or mistresses, of the value of xl. s. or a-
boue, deliuered vnto him to keepe by his master &c. to the intent to
steale or defraude his master or mistresse thereof, or being in seruice
with his said master, to imbesill, or to conuert to his owne vse, money,
goods &c. of the sayd value, without his masters commandement, to
the intent to steale the same. 21. H. 8. 7. 5. El. 10.

11 ¶ And for a seruauant imbesiling his masters goods after his
death, which doth not appeare in the Kinges bench to answere there-
unto, at such time, as by writte directed, and Proclamation made, hee
shalbe demaunded. 33. H. 6. 1.

12 ¶ And for any person of the age of xiiii. yerres or aboue, cal-
ling himselfe an Egyptian, or being in companie with those which
cal themselves Egyptians, or disguising himselfe in apparel, speech,
or otherwise, like vnto them, and so to continue at one or seuerall times
within England or Wales, by the space of a moneth. 1. & 2. H. 8. 10.
4. 5. El. 20. S. Egyptians. 2.

13 ¶ And for any man being the Queenes seruant sworne, and
whose name is in the checke Roule of her housholde, seruing in any
office or counth vnder the estate of a Lorde, to confederate, imagine,
compassse or conspire with another to destroy or murder the Queene,
or any Lorde of this Realme, or any other sworne to the Queenes
counsell,

Felonie.

counsel, or the Steward, Treasorer, or Comptroller of the Queenes house. 3. H. 7. 13. S. Queene. 17. that the compassing of the Queenes death or bodily harme tending to death, and by writing, speech &c. declaring the same, is high Treason,

Rape.

14 ¶ And to rauish any woman, where shee doeth not consent, before nor after. And to rauish any woman with force, though she doe consent after. West. 2. 13. Ed. 1. 33. And unlawfully and carnally to know and abuse any woman childe, vnder the age of x. yeeres. 18. El. 6. S. Rape. 1. 2.

Breaking
prison.

15 ¶ And for any person to breake prison being therein for Felonie. 1. Ed. 2.

Taking a woman
against
her will.

16 ¶ And to take any mayde, widowe, or wife, hauing landes or goods, or being heire apparant to her auncestor, against her will unlawfully, and to receiue any so taken knowing thereof, and to procure and abette the same. 3. H. 7. 2. S. Women. 9.

To make a prisoner
become
approuer.

17 ¶ And for a Gaoler, keeper, or vnderkeeper of prison, to make any prisoner in his warde to become approuer against his will by too great dures of imprisonment, & by paine. 14. Ed. 3. 10. S. Prisons. 9.

Imbeseling of
recordes.

18 ¶ And for any Clerke or other person to steale, take away, withdraw, or willingly auoyde any record or parcell of record, writte, retourne, panell, proces, or warrant of atturney in the Chauncerie, Eschequer, Kings bench, Common place, or Tresurie, whereby any Judgement shalbe reuerled, or to be a Chauncelor, procuror, or abbetor therunto. And halfe the Enquest which shall trie the Felony shalbe of the same Court, and halfe of other persons. 8. H. 6. 12.

Cutting of
tongues, putting
out of eyes

19 ¶ And of malice pretended, to cut out the tongue, or put out the eyes of any of the Queenes subiects. 5. H. 4. 5.

Imbeseling of
a hauke.

20 ¶ And for any person finding a Fawcon, Laner, Laneret, Tercelet, or other hauke, which doth not bring the same to the shirife of the same Countie, that he may make proclamation in all the good townes of the Shire, to the intent the owner may haue knowledge thereof, but doth imbesill the hauke. 37. Ed. 3. 19. S. Haukes. 2.

Multiplicatio.

21 ¶ And to practise the art of multiplying of golde or siluer. 5. Hen. 4. 4.

Masons.

22 ¶ And for to cause Masons to confederate them selues in Chapters, and assemblies whereby they so do. 3. H. 6. 1.

Souldiour.

23 ¶ And for him which is entred of recorde a Souldier, & hath taken part of the Queenes wages, or for a Mariner or a Gunner, taking prest wages to serue the Queene on the sea, not to come vnto, or to depart from his Captaine without licence. 18. Hen. 6. 19. 2. Ed. 6. 2. 5. El. 5. 27. El. 11. 4. & 5. P. & M. 3. S. Captaines. 3.

24 ¶ And

24 ¶ And for any person to hunt unlawfully in the night, in any Forest, Parke, or warren, or with painted faces, visours, or other disguisings to the intent he would not be knownen, and being thereof examined by one of the Queenes Counsell, or a Justice of peace of the same Shire, to conceale the offence or any offender. And for any person which should be arrested, to disobey, or make rescue to any person having warrant to arrest such hunter, so that execution of the same warrant thereby be not had. 1. H. 7. 7. S. Justice of peace. 16. Hunting in the night or with disguisings.

25 ¶ And for any Puruepour, Taker, or other, to make puruep- Puruepours.
ance for the Queenes house or Wardrobe, without warrant, and to carie any thing away against the consent of the owner. 28. Ed. 1. 2. And for any Puruepour after Commission to him directed, to buy or prouide, or to take any carriage in other manner then is comprised in his Commission. 36. Ed. 3. 2. And for any puruepour, not to make his prouision by the testimonie and appraiseiment of the Constables and foure honest men of the towne, where he maketh his prises, and not to deliuer tales or Indentures sealed with his seale, testifying the same. 5. Ed. 3. 2. 25. Ed. 3. 1. and for any Puruepour to take more vitailles or cariages for the Queenes house, or more great hozles then he hath deliuered to the same house, 36. Ed. 3. 4. And for any Puruepour to take more sheepe before sheare time then be sufficient for the Queenes house, and to carie them to his owne house, and sheare them. 25. Ed. 3. 15. S. Puruepours. 4. 9. 17. 18. 19.

26 ¶ And eftsoones to commit any of the offences prohibited by the statute prouided. 5. Eliz. against the forging of evidences and writings, being once before conuicted, or condemned of any of the said offences by any of the waies or meanes limited by the sayd statute, but there shalbe no corruption of blood, nor forfayte of lande or dower by reason of this felonie. 5. El. 14. S. Forging, &c. 4. Forging of evidence.

27 ¶ And for any persons to the number of xii. or aboue being assembled together, to intend, go about, practise, or put in vze with force of armes unlawfully, &c. to change any lawes in force established for religion by Parliament, or any other lawes, or statutes, or to doe an other act prohibited by the statute prouided against unlawfull and rebellious assemblies, &c. And being commaunded or required by the Sherife or Justice of peace, &c. Maior, Bailife, &c. by proclamation in the Queenes name, to retire to their houses, &c. to remaine together by the space of an houre after such commandement by proclamation, or after in forcible and riotous maner to attempt, do, or put in vze, any of the things aforesaid, 1. H. 12. 1. Eliz. 16. Unlawfull assembly.

28 ¶ And for any person unlawfully &c. by ringing of any bells, Ringing of unlawfull assemblies.
sounding lie.

sounding of any Trumpet, Drumme, Horne or other instrument, or by firing of any Beacon, malicious speaking of any words, making any outcrie, setting vp, or casting any bill or writing, or by any other deede or act, to raise any persons to the number of xii. or aboue, to the intent the same persons shoulde doe, committe, or put in vze any of the actes aforesaid prohibited, &c. If the sayde persons so raised after request or commandement giuen as aforesayde, shall continue together as aforesayd, or vnlawfully commit any of the things aforesaid, 1. M. 12. 1. Eliz. 16.

Keptening persons vnlawfully assembled

29 And for the wife or seruant of any of the same persons so assembled, & for any other person whatsoeuer, willingly to send, bring, deliuer, or conuey any money, harnesse, artillery, weapon, meate, bread, drinke, or other vitaille, to any person or persons so being assembled, during such time as they shalbe together. 1. M. 12. 1. El. 16.

xi. persons vnlawfully assembled.

30 And for any persons to the number of xi. or aboue, to assemble themselves in forcible maner vnlawfully, to the intent to doe &c. any of the fozesayd things, or other felonious or rebellious acts, and to continue together by the space of thzee houres after proclamation made, at or nigh the place where they be assembled, or in some market towne next adioyning, after notice thereof to them giuen. But there shalbe no corruption of blood by reason of any of these felonies, 1. M. 12. 1. El. 16. S. Riots. 16. 17. 18. 19. 31.

Slanderous newes of the Queene.

31 And for any person which shall eftsoones aduisedly & with a malicious intent, either of his own imagination, or of the speaking or reporting of any other, speake or report any false, sedicious and slanderous newes, Rumors, sayings, or tales of our soueraigne Ladie the Queene that now is, being once lawfully conuicted of any of the offences aforesaid, 23. El. 2. S. Newes. 5.

Slander of the Queene by booke, writing &c.

32 And for any person which either within the Queenes Dominions or without, which shall aduisedly, and with a malicious intent against our soueraigne Lady, deuise and write, print, or set forth any Booke, Rime, Ballade, Letter, or writing containing any false, seditious and slanderous matter to the defamation of the Queene, or to the incouraging, stirring or moouing of any Insurrection or Rebellion within this Realme, or any the Dominions belonging to the same: Or shall aduisedly and with a malicious intent against our said soueraigne Ladie procure or cause any such Booke, writing &c. to be written, printed, published, or set forth, and the same offence not being punishable by the statute made An. 25. Ed. 3. concerning Treason or declaration of Treason, or by any other statute wherby any offence is made or declared Treason, 23. El. 2. S. Newes. 6.

33 **C** And for any person which during the life of the Queenes Maiestie, either within her dominions or without, which shall by setting or erecting of any figure or figures, or by casting of Natiuities, or by Calculation, or by any prophecying, Witchcraft, Coniurations, or other like vnlawfull meanes whatsoeuer, seeke to knowe, and shall set forth by expresse words, deedes, or writings how long her Maiestie shall liue or continue, or who shall raigne as King or Queene of this Realme after her decease. Or shall aduisedly and with a malicious intent agaynst her Highnesse utter any direct prophecies to any such intent and purpose. Or shall maliciously by any wordes, writing, or printing wish, will, or desire the death or depriuation of the Queenes Maiestie that nowe is, or any thing directly to the same effect. And to be Aydo, procuro, and Abbetto, to any of the sayd offences, is also Felonie. But no attainder of any person for any offence made felonie by this Act shalbe adiudged to make the offendour to forfeite any landes, tenements, or hereditaments any longer then onely during his owne life, or to make any corruption of blood to any heire of any such offender, or to make the wife of any such offendour to loose her dower or title of dower, or, or in any lands &c. or her Accion or interest to the same. 23. El. 2. S. Newes. 7.

Seeking to know how long the Queene shall liue or reigne.

Wishing the Queenes death or depriuation.

34 **C** And for any person wittingly and willing to receiue, relieue, comfort, ayde, or maintaine any Iesuite, Seminary Priest, or other Priest, Deacon, or religious or Ecclesiasticall person whatsoeuer, being bozne within this Realme, or any other the Queenes Highnesse dominions, and heretofore (since the feast of Saint Iohn the Baptist Anno. 1. Eli.) made, ordeyned or professed, or hereafter to be made, ordeyned or professed, by any authoritie or iurisdiction deriued, challenged or pretended from the sea of Rome, being at liberty or out of hold, knowing him to be a Iesuite, Seminarie Priest or such other Priest, Deacon, or religious or Ecclesiasticall person as is aforesayd. 27. El. 2. S. Iesuites. 3.

Receiuing or relieuing any Iesuite or Priest.

35 **C** And for any person peruersly and maliciously to breake up or cut downe any part of new Howdike in Marshland, in the countrey of Norffolke, or in the broken dike otherwise called olde fielde dike by Marshland in the Isle of Ely, in the Countrey of Cambridge, or any other banke being parcell of the rynde, and uttermost part of the sayd countrey of Marshland made for the defence of the same Countrey of Marshlande, otherwise then in working vpon the sayde Bankes, and dikes, for the repaire of the same. 22. H. 8. 11. 2. & 3. H. 8. 19.

Howdike.

36 **C** And wilfull killing by poysoning of any person, is wilfull murder of malice prepenced. And the offendours, aydo, Abbetto, procuro, poysoning.

procuro

Felonie.

procuroꝝ and counsayloꝝ shall suffer death and forsaite as in other cases of wilfull murder. 1. Ed. 6. 12.

Every man
shall pursue
felons.

Concealment
or not attach-
ment of felons

Buy and crie.

Persons sus-
pected of fel-
onies.

The punish-
ment of felons
refusing law-
full triall.

37 ¶ All men generally shall be ready at the commaundement, and summons of the Sherifes, and at the crie of the countrey, to pursue and arrest felons, when neede shalbe, as well within franchises as without, and they that will not, and thereof be attainted, shall make a grievous fine to the Queene, and if default be founde in the Loꝛde of the franchise, the Queene shall seise the franchise into her handes. And if default be in the Baylife, he shalbe one yere imprisoned, and after make a grievous fine, and if he haue not whereof, he shall haue two peeres imprisonment. And if the Sherife, Coroner, or any Baylife within such franchise or without, for rewarde or intreatie, or for any affinitie doe conceale, consent, or procure to conceale the felonies done in their liberties, or otherwise will not attache or arrest such felons (where as they may) or otherwise will not doe their offices for the fauour that they beare to such offenders, and be thereof attainted, they shalbe one yere imprisoned and make a grievous fine, And if they haue not whereof to make fine, they shalbe thre yeres imprisoned. Westm. 1. 3. Ed. 1. 9. vpon all homicides, burglaries, men slaine or put in great danger, buy & crie shalbe leuied, and euery man shall follow the buy and crie, and the offenders steppes, if it may be, and whosoever doeth not, and is thereupon conuicted, shalbe attached to appeare before the Iustices of Gaole deliuerie. 3. Ed. 1. Officium Coronatoris.

38 ¶ If any man suspect such lewde persons as were in times past called (Robbersmen, Maltours, or Drawlatches,) of any man- slaughters, felonies or robberies, be it by day or night, they shall bee incontinently arrested by the Constable of the Towne, & if it be with- in franchises, deliuered to the bailifes of the franchise, and if in Gild- able, to the Sherifes, and kept vntill the coming downe of Iustices of Gaole deliuerie, who shall proceede to the deliuerance of them. 5. Ed. 3. 13.

39 ¶ If notorious felons which be openly knowne of euil fame, will not put themselues vpon enquestes of felonies which any man doeth prosecute before the Iustices at the Queenes suite, they shalbe put in strait and hard prison, as those, which refuse the lawe of the Realme, but this is not vnderstanded of prisoners, which be taken for a light suspicion. West. 1. 3. Ed. 1. 12.

1 That the keeper of a forrest, parke, or warren may kil him which commeth within his charge to do hurt, & wil not yeeld. S. Forest. 4.

2 That he which killeth a felon, which attempteth to robbe him, shall

shall forsaite nothing. S. Forfaiture. 1.

3 That the Iustices may award a writ of restitution of stollé goods vpon the attainer of a felon, S. Restitution. 1.

4 That the Queene shall haue felons goods, and Annum, diem, and vastum, in their lands. S. Prerogative. 16.

5 That the Iustices of the Kings Bench, may remaund any murderer or felon, and his indictment to be tried in the countrey, S. Remouer. 2.

6 That the goods of him which is imprisoned for felonie, shall not be seised, before he be attainted thereof, S. Sherifes. 26.

7 That an abiured person committing felonie shall lose the priuiledge of Sanctuarie, S. Sanctuarie. 9.

Fesants, Partridges.

If any person doe take or cause to be take any fesants or partridges by nets, snares or other engins, out of his owne warren, vpon the freeholde of another person, without the assent and speciall licence of the owner or possessor of the same, he shal forfe. x. li. to the owner of the ground, and the A. to be recovered by A. B. &c. 11. H. 7. 17.

2 **N**o person shall take, kill, or destroy any fesant or partridges with any maner of nettes, snares, ginnes, enginnes, rowsting, lowfing or other deuises whatsoeuer in the night time, vpon payne of forfeiture for euery fesant so taken, killed or destroyed, contrary to the true meaning of this Act, xx. shillings, and for euery partridge x. shillings. The which saide penalties if euery person so offending, doe not pay within tenne dayes next after his or their conuiction, then to haue one monethes imprisonment without bayle or maineprie. And further ouer and beside such forfeiture or imprisonment to put in bonde with good sureties for the space of two yeeres, that hee shall not take, kill or destroy, any partridges or fesants, contrary to the true meaning of this Acte, the same bonde to be taken by some Iustice of the peace of the Countie where the saide offence shalbe committed, The one halfe of all which said seuerall forfeitures to be to the chiefe Lorde, or lords of the Liberties, Lordships or Manors, vpon and in which the same shalbe so taken, killed or destroyed, and the other moiety to such person or persons as will sue for the same in any her Maies. Courts of Recorde. by B. P. or J. wherein no W. C. P. &c. 23. Cl. 10.

Killing of Fesants or Partridges in the night.

3 **P**rovided alwayes, that if such person, to whome the one halfe

Fesants, Partridges, Fifteenes.

A remedie,
where p^r Lord
doth dispence
with the for-
saiture, or give
licence to of-
fend.

halfe of the sayde forsaiture is appoynted for the taking, killing or destroying of partridges and fesantes, contrary to the tenour of this Acte, shall dispence with, licence, or procure any taking, killing or destroying of any partridges or fesantes, contrary to the fourme of this Acte: Then all such forfeitures and penalties, as such person or persons should haue by vertue of this Acte, shalbe to the pooze of the Parishe where such taking, killing or destroying shall be committed: And that to be leuied or recouered in maner and forme aforesaid, by any one of the Churchwardens of the parish where the offence shalbe committed. 23. El. 10.

Hawking in
eared or cod-
ded coyne.

4 ¶ No person or persons shall hauke, or with his Spaniels hunt in any grounde where coyne or other grayne shall then growe, (except it be in his owne grounde) at such time as any eared or codded coyne or graine shall be standing and growing vpon the same, nor before such time, as such coyne and graine shalbe shocked, cocked, hiled, or copped, vpon payne of forsaiture for euery time, that he shall so hauke or hunt as aforesaid, (without the consent of the owner of the coyne or graine) to such person or persons as shall be owner of the saide eared or codded coyne or graine xl. shillings, and the same to be leuied and recouered in maner and forme aforesaide. 23. Eliz. 10.

Taking par-
tridges or fes-
sants and let-
ting them goe
again.

5 ¶ Provided alwaies, that this Acte shall not in any wise extende to Lowbellers, Tramellers or others, which shall vnwillingly happen to take any Partridges or Fesantes by night vnder any Tramell, Lowbell, Roadnette, or other engine, So as they and euery of them doe presently loose and let goe euery Fesant and Partridge so taken, and suffer them presently to flie and goe at large at the place where they shall happen so to be taken, without willingly killing, or wilfully hurting any such fesant or partridge, so taken in any maner of sort, Any thing in this acte &c. notwithstanding. 23. El. 10. S. Iustices of peace. 38.

Fifteenes.

Cattel charges
able to the xv.
where they be
the time of the
same granted.

¶ All fozeines, hauing landes, or tenementes, goods, or cattels within any Townes at the day of the graunt of any disme, fifteene, or other tare, although they leade away their beastes, or carry away their goods and cattels out of the same towne after the day of the said graunt, yet euery of them shalbe contributozie with the inhabitantes of such townes, to such disme, fifteene or tare, and the collectors of the same disme, fifteene or tare for the time being, with-
in

In such towne haue power by authoritie of their office, to take and asseſſe ſuch ſoreines according to the quantitie of their goods, catels and poſſeſſions, being in the ſaid towne at the day of the graunt of the ſaid diſmeſſe, fiſteene or take, and for the ſame ſummes whereto they be aſſeſſed or taxed, to diſtraine in euery place within the ſayde Countie, alwel before the Queene be answered of the whole ſummes that attaine to the ſaid towne, as after. But no man or woman ſhall be twice charged for any ſuch beaſtes, goods, or cattels in any wiſe by occaſion thereof. 9. P. 4. 7.

Fighting, Quarelling.

If any perſon ſhall maliciously ſtrike any other perſon, whereby ^{Drawing of blood within the Queenes palace.} blood ſhalbe ſhed, in any of the Queenes houſes or Palaces, or in any other houſe, where the Queenes maiestie, her heires, &c. ſhall be at that time abiding in her royal perſon, v3. within any edifices, courts, places, gardens, orchards, or houſes within the porters warde of any of the houſes aboue rehearſed, or within any gardens, priuie walkes, orchards, tiltyards, woodyards, tennis playes, corke fights, bowling allies nere adioyning to any of the ſaid houſes, & being part of the ſame, or within two hundred foote of the ſtandard of any outward gate or gates of any of the ſaid houſes, commonly uſed for paſſage from any of the houſes &c. & ſhalbe thereof indicted, arraigned, and attainted according to the ſtatute in that caſe provided, hee ſhall haue his right hand ſtricken off, be impriſoned during his life, & make fine to the Queene at her pleaſure. But this acte, nor the paines and forfeitures before rehearſed, ſhall not extende to any noble man or other perſon that ſhall ſtrike his ſeruant within the ſayde palaces or houſes, or the limittes of the ſame, with his hand or fiſt or any ſmall ſtaffe or ſticke, for correction for any offence committed, nor to any of the Queenes officers that in executing his office, ſhall ſtrike any perſon with his hand, fiſt or ſmall ſtaffe, ſticke or tipſtaffe, nor to any other perſon, that in doing ſeruiſe at any triumph, or any other time of ſeruiſe, by the Queenes, any of her counſel, or other her head officers commandement, ſhall for the executing of his ſaid ſeruiſe, ſtrike any perſon with his hand, fiſt, ſmall ſtaffe, or ſticke or any tipſtaffe, within the ſame palace, houſe, &c. although by reaſon of the ſame ſtroke or ſtokes there happen to be any bloodſhed of ſuch perſon as ſhall be ſo ſtriken, except the perſon ſo ſtriken die at the ſame ſtroke within one pere next after. 33. P. 8. 12. Howe the offender in this caſe ſhalbe indicted, and tried, S. Triall. 4. 5. 6.

Fighting, Quarelling.

Chiding in the
Church or
Churchyard.

2 ¶ If any person whatsoeuer, doe by words onely, quarell, chide or braule in any Church or Churchyard, then it shalbe lawfull to the ordinarie of the place where the offence is done and proued by ii. lawfull witnesses, to suspend him (being a lay man) ab ingressu Ecclesie, and being a Clerke, from the ministracion of his office, so long as he thinketh meete, according to the fault. 5. Ed. 6. 4.

Smiting in
Church or
Churchyard.

3 ¶ Whosoever shall smite, or lay violent hands vpon another, in any Church or Churchyard, shalbe deemed ipso facto excommunicat, and excluded from the felowship and company of Christes congregacion. 5. Ed. 6. 4.

Drawing or
smiting with a
weapon in a
Church or
churchyard.

4 ¶ If any person shall maliciously strike any person with any weapon, in any Church or Churchyard, or shall drawe any weapon, in any Church or Churchyard, to the intent to strike another with the same: then euery person so offending, and thereof being conuicted by verdict of xii. men or by his owne confession, or by two lawful witnesses before the Iustices of Assise, Iustices of oyer and determiner, or Iustices of peace in their sessions, shalbe adiudged by the same Iustices, before whome such person shalbe conuicted, to haue one of his eares cut off. And if the person or persons so offending, haue none eares, whereby they should receiue such punishment as is before declared, then he or they to be marked and burned in the cheeke with an hot yron, hauing the letter (F) whereby he or they may be knownen and taken for fray makers and fighters, and besides that euery such person to be and stand, ipso facto, excommunicated as is aforesaide. 5. & 6. Ed. 6. 4.

Assaults vpon
them which
come to the
Parliament.

5 ¶ If any assault or fray be made vpon any Lord Spirituall, or tempozall, knight of the shire, Citizen, or Burgesse, come to the Parliament, or to the Queenes counsell by her commandement, & there being and attending, then proclamation shalbe made in the most open place of the Towne by thre seuerall dayes, where the affray was made, that the partie that made such affray or assault shall yeeld himselfe in the Kings Bench within a quarter of a yeere next after þ proclamation made, if it be in the terme time, or otherwise at the first day of the terme following the said quarter. And if he doe not, he shalbe attainted of the said deede, and pay to the partie grieved his double damages to be taxed by the discretiō of the Iustices of the same bench, or by enquest, if it be needefull, and shall make fine and raunsome at the Queenes pleasure. And if he come and be found guilty by enquest, by examination or otherwise of such affray or assault, then he shal pay to the partie grieved his double damages found by the enquest, or to be taxed by the discretion of the said Iustices, and make fine and raunsome

some at the Queenes pleasure, 11. Hen. 6. 11. The like punishment shall he haue which maketh assault or fray in the Parliament time vpon any menial seruant of any knight of the Parliament, or &c. which doeth come to the Parliament with his master. 5. H. 4. 6.

assaulting the
seruant of him
which cometh
to the Parlia-
ment.

Fines.

As well the parties plaintifes or demaunders, as the tenants and defendants, which will knowledge or yeelde their right or tenements to others in pleas of Warrantia charte, Couenaint, and other like, whereupon fines are to be leuied, shall come personally before the Iustices of the Common place, before the same fines be leuied, that their age, Idiocie, or other defect (if there be any) may be discerned and iudged by them, but if any man which is olde, decrepit, or impotent by any casualtie, be so oppressed or detained, that he is not by any meanes able to come before the said Iustices, Then two or one of the said Iustices by the assent of the whole bench, shall goe vnto him which is so diseased, and shall receiue his cognisaunce, vpon the plea or forme of plea, which he hath in the Queenes court, whereupon the said fine ought to be leuied, and if there goe but one, he shall take with him an Abbot, a Prior, or a Knight, being a man of credit and good name, and shall certifie the Iustices of the common place thereof by their record, So that all thinges incident to the fine being by him or them well examined, the same fines may be duely leuied. Carleil. 15. Ed. 2.

The consor in
the fine shall
come perso-
nally before
the Iustices.

A fine taken
by dedimus
potestatem.

2 **T**he order of the lawe wil not permitte a finall accorde to be leuied in the Queenes court, without an originall writ, and that must be at the least before foure Iustices of the bench, or in Eire, and not otherwise, and in presence of the parties named in the writ, which be of full age, good memorie, and out of prison. And if a woman which is couert baron, be one of the parties, then it behoueth that she be first examined before the said foure Iustices, and if she doe not assent to the fine, it shall not be leuied, stat. de finibus. 18. Ed. 1.

A fine cannot
be leuied with-
out an original
writte.

A fine leuied
by a woman
couert.

3 **A**fter the ingrossing of euerie fine to be leuied in the Queenes Court, before her Iustices of the common pleas, of any landes, tenements or other hereditamentes, the same fine shall bee openly and solemnly read and proclaimed in the same Court the same Terme, and in three Termes then next following the same ingrossing in the same Court, at iiii. seuerall dayes in euerie terme, and in the same time that it is so read and proclaymed, all pleas shall cesse. 1. R. 3. 7. 4. H. 7. 24.

A fine proclai-
med.

4 **A**nd the said proclamations so had and made, the said fine shall be a

Who shalbe
concluded by
a fine and who
not.

be a finall ende, and conclude as well priues as strangers to the same except women couert (other then bene parties to the said fine) & every person then being within age of xxi. yerres, in prison, or out of this Realme, or not of whole minde at the time of the said fine leuied, nor partie to such fines. 1. R. 3. 7. 4. W. 7. 24.

Every strans
gers right sa
ued which he
presently hath.

5 ¶ Sauing to every person or persons, & to their heires (other the parties in the said fine) such right, claime, and interest, as they haue, to, or in the said lands, tenements or other hereditaments, time of such fine ingrossed, so that they pursue their title, claime or interest by way of accion or lawfull entrie, within five yerres next after the saide proclamations had and made. 1. R. 3. 7. 4. W. 7. 24.

The right of
strangers sa
ued which shal
come to them.

6 ¶ And sauing to al other persons, such accion, right, title, claime, and interest, in, or to the said lands, tenements, or other hereditaments, as first shall growe, remaine or discend, or come to them after y^e saide fine ingrossed, and proclamation made by force of any gift in the taylor, or by any other cause or matter had and made, before the sayde fine leuied, so that they take their accion, or pursue their said right & title according to the lawe within five peeres next after such accion, right, title, claime, or interest to them accrued, discended, remayned, fallen or come: And the said persons and their heires may haue their said accion against the pernour of the profits of the said lands and tenements and other hereditaments, time of the said accion to be taken. 1. R. 3. 7. 4. W. 7. 24.

Accion main
tainable a
gainst pernour
of the profits.

The right of
Infants, wo
men couert,
persons im
prisoned, out
of this land,
and not of
whole mind,
sauch.

7 ¶ And if the same persons, at the time of such accion, right, and title, accrued, descended, remayned, or come vnto them, be couert baron, or within age, in prison, or out of this land, or not of whole minde, then their accion, right, and title shalbe reserued, and saued to them, & to their heires, vnto the time they come and be at their full age of xxi. peeres, out of prison, within this land, vncouert, and of whole minde, so that they or their heires take their said accions, or their lawfull entrie, according to their right and title, within five peeres next after that they come, and be at their full age, out of prison, within this land, vncouert, and of whole minde, and the same accions pursue, or other lawfull entrie take, according to the Law. But all such persons as be couert baron, not partie to the fine, and every person being within age, in prison, or out of this land, or not of whole mind at the time of the said fines leuied, and ingrossed, hauing any right or title, or cause of accion to any of the said lands and other hereditaments, they or their heires inheritable to the same, shall take their saide accions, or lawfull entrie according to their right and title, within five yerres next after they come and be of full age of xxi. yerres, out of prison, vncouert,

court, within this land, and of whole mind, and the same actions sue, or their lawfull entrie take and pursue according to the lawe. And if they do not take their actions and entrie as is aforesaid, they and euery of them, and their heires, and the heires of euery of them, shalbe concluded by the saide fines for euer in like forme as they beene, that bene parties or priuies to the saide fines. 1. R. 3. 7. 4. H. 7. 24.

8 ¶ Saving to euery persō and persons not partie nor priuie to the saide fine, their exception, to auoyde the sayd fine, by that, that those that were parties to the fine, nor any of thē, nor no person nor persons to their vse, ne to the vse of any of them, had nothing in the landes and tenements comprised in the sayd fine, at the time of the saide fine leuied. 4. Hen. 7. 24.

Exception & the parties to the fine had nothing in the land.

9 ¶ An. 1. R. 3. 7. it is enacted, that a transcript of the same fine shalbe sent by the said Iustices of the common pleses, to the Just. of assise of the countie where the said lands & tenements be, they to cause the saide fine to be read & proclaimed openly, and solempnly in euery their sessions of assise. to be holden the same yere, if assises do then hold, & all the pleas in the meane time to cease. Also a like transcript of y^e same fine shalbe sent to the Iustices of peace of the county where the said lands & tenements be, they to cause open & solempne proclamation of the saide fine to be made at foure seuerall sessions of the peace to be holden the same yere. The saide Iustices of assises, & also Iustices of peace to certifie the same proclamation to the Queenes Iustices of the common pleses, at the second day of returne of the terme then next following. Quere for the vse hereof.

A fine proclaimed at the generall assises and quarter sessions.

10 ¶ Euery fine that shalbe leuied in any of the Queenes courts of any manors, landes, tenements, or other possessions after the manner, vse, and forme that fines haue bene leuied before the making of these actes, be of like force, effect, and authoritie, as fines so leuied be, or were before the making of these Actes, and euery person shall be at his libertie to leuie any fine after his pleasure, whether hee will after the forme conteyned and ordeyned in, and by these Actes or any of them, or after the maner and forme beforesetime vsed. 4. Hen. 7. 24. 1. R. 3. 7.

Quere. Fines at the common lawe be of the same force they were.

11 ¶ All fines aswel heretofore leuied, as hereafter to bee leuied before the Iustices of the common pleses, of any manors, landes, tenements, or other hereditaments, whereupon the proclamations haue not, or shall not by reason of adiournment of any terme by writte beeduely made, shal be of as good force, effect and strength to all intents, constructions, and purposes, as if any terme heretofore adiourned, or that at any time hereafter shalbe so adiourned, had bene holdē & kept,

Fines may be leuied according to y^e common lawe, or either of these statutes.

Proclamations not made by y^e adiournment of any terme,

from the beginning to the end thereof not adiourned, and proclamations therein made, according to the forme & effect of the said statute of 4. H. 7. 1. M. 1. parl. 7.

Fines leuied
before the Jus-
tices of assise
at Lancaster.

12 ¶ All fines which shalbe leuied before the Iustices of Assises at Lancaster, or before one of them, of any landes, tenementes, or other hereditaments lying within the Countie Palantine of Lancaster, which shalbe openly read, and proclaymed thre seuerall dayes in the open sessions in the presence of the Iustices of assise at Lancaster, or one of them, at the same sessions, that the same fine shalbe ingrossed, and also at the two next generall sessions, that shalbe holden in the said countie before the Iustices of assise of the same countie, or before one of them, next after the leuying or ingrossing of such saide fine, at iii. seuerall dayes in eyther of the saide two sessions, after such maner and forme, as is commonly vled in the comunō place at Westminster, shalbe of like force to all intents, as fines being duely leuied with proclamatiōs before the Q. Iustices of her common plees be or ought to be of 37. H. 8. 19. And all and singular fines which at any time hereafter shalbe leuied or knowledged before the Justice or Iustices of the countie Palantine of Durham for the time being authorized for that purpose and cause, of any lands, tenementes or other hereditaments, lying or being within the said Countie Palantine of Durham, which shall be openly read and proclaymed two seuerall dayes in the open sessions in the presence of the Iustices of Assises at Durham, or one of them for the time being at the same Sessions, that the same fine shall fortune to bee ingrossed, and also that shall be openly read and proclaimed in the presence of the Iustices of assise at Durham or one of them for the time being, at the two next generall Sessions that shall be holden in the Countie Palantine of Durham before the Iustices of the same County, commonly called Iustices of Assises at Durham, or one of them, next after the leuying or ingrossing of such saide fine, shalbe of like, and of the same force, strength and effect in the lawe to all intents, constructions and purposes, as fines being duely leuyed with Proclamations before the Quences Iustices of her comunō pleas at Westminster, be or ought to be. 5. El. 27.

Fines leuied
before the Jus-
tices of assise
at Durham.

Fines leuied
before the highe
Justice at Che-
ster of lands in
Cheshire.

13 ¶ Fines which shalbe leuied before the high Justice of the Countie Palantine of Chester, or before the Deputy or Lieutenāt Justice there for the time being, of any lands, tenementes, or other hereditamentes lying within the saide County Palantine of Chester, which shalbe openly read and proclaymed iii. seuerall dayes in the open Session, in the presence of the Justice of the said County Palantine,

time, or before the deputie or lieutenant Justice there, at the same sessions that the same fine shalbe ingrossed, and also at the two next generall sessions that shalbe holden in the said County, next after the leuying and ingrossing of such fine at iii. seuerall dayes in either of the said two sessions, after such maner and forme, as is commonly vsed in the common place at Westm. shalbe of like force to all intēts, as fines being duely leuied with proclamations before the Queenes Justices of her common ples be or ought to be of. 2. Ed. 6. 28.

14 ¶ All and singular fines as wel heretofore leuied, as hereafter to be leuied before the Justices of the common ples, with proclamations according to the foresaid stat. made 4. H. 7. by any person or persons of full age of xxi. yeeres, of any manors, lands, tenements or other hereditaments, before the time of y^e same fine leuied in any wise entayled to the person or persons so leuying the same fine, or to any the ancestoz or ancestozs of the same person or persons in possession, reuerſion, remainder, or in vse, shalbe immediatly after the same fine leuied, ingrossed, & proclamations made, adiudged, & taken to al intēts, a sufficient barre and discharge for euer, against the same person and persons, and their heires, claiming the said lands, tenements & hereditaments, or any parcel thereof, only by force of any such entaile, and against all other persons claiming the same, or any parcel thereof only to their vse, or to the vse of any maner of heire of the bodies of them. 32. H. 8. 36.

A fine leuied by tenant in tail, shal be a barre to the heire of his body.

15 ¶ But this acte shal not extend to barre the lawful entry, title or interest of any heires or persons, giuen or accrued to any of the, in or to any manors, lands, tenements or hereditaments, by reason of any fine leuied by any woman after the death of her husband, contrary to the forme, intent and effect of the statute made 11. H. 7. 20. of any manors, lands, tenements and hereditaments, of the inheritance or purchase of the said husband, or of any his ancestozs, giuen or assigned to any such woman in dower, for terme of life or in tail, in vse or in possession. But the same acte made 11. H. 7. shall remaine in full strength, in euery clause therein contained, as though this act had not bene made. 32. H. 8. 36. S. Woman. 1.

Fine leuied by the wife of the inheritance of her late husband.

19 ¶ Neither shal this act extend to any fine heretofore leuied or hereafter to be leuied of any Lordships, Manors, Landes, Tenements or other hereditaments, y^e possessioners & owners whereof, by reason of any expresse wordes cōteyned in any especiall act or acts of Parliamēt made ſithence 4. H. 7. bee boundē or restrayned from making any Alienatiōs, discontinuances, or other alterations of any of the same Manors, Lands &c. contained in the sayd fine. But euery

A fine leuied by him which is restrayned by parliamēt.

Such fine shall be of such like force & strength in the lawe, and of none other effect, then the same should haue bene, if this Acte had neuer bene made. 32. H. 8. 36.

Fines of lads
whereof the
reuerſion is in
the Queene.

17 Neither ſhal this act extend to any fine leuied by any perſon of any manors, lands, tenements, or hereditaments beſore the time of the leuying of the ſame fine giuen, graunted or aſſigned to ſaide perſon, or to any of his anceſters in the taile, by vertue of any letters patents of King H. 8. or of any of his progenitors, or by vertue of any act or acts of Parliament, the reuerſion whereof at the time of ſaide fine leuied being in the Queene, her heires, or ſucceſſors: But euery ſuch fine ſhalbe of like force & effect as they were or ſhould haue bene, if this act had not bene made. 32. H. 8. 36.

Exception ſ
p demandant
ſc. was al
waies ſeiſed.

18 No exception, anſwere, or inquiſition of the Countrey ſhalbe admitted by any perſons being parties to any fines, or by their heires to auoyde and defeate ſuch fines, in alleadging that beſore the fine leuied, at the leuying thereof, and ſince the fine leuied the demandants or plaintifes or their auncceſtors were alwayes ſeiſed of ſaide lande conteyned in the fine, or of ſome parcel thereof. Stat, de finibus, 27. Ed. 1. 1.

Inrolment of
fines and re-
coueries.

19 Every writte of couenant and other writ, whereupon any fine heretofore hath bene leuied, or hereafter ſhalbe leuied, the returne thereof, the writ of Dedimus poſteſtatem, made for the knowledging of any of the ſame fines, the returne thereof, the concord, note & foote of euery ſuch fine, the proclamations made thereupon, & the kings ſiluer. And alſo euery originall writ of Entry in the poſt, or other writ, whereupon any common recovery hath bene ſuffered, or hereafter ſhall be ſuffered or paſſed, the writs of Sum. ad warrantizand. the returns of the ſaid originals & writs of Sum. ad warrantizand. & euery warrant of Attourney, had or to be had, aſwel of euery demandant and tenat as vouchee extant & remaining, or that ſhalbe extant & in being, may vpon the requeſt or election of any perſon be inrouled in roules of parchment by ſuch perſons, & for ſuch conſiderations as hereafter in this act ſhalbe mentioned: And ſaid inroulements of the ſame, or of any part thereof, ſhalbe of as good force and validitie in law to all intents, for ſo much of any of them ſo inrouled, as the ſame being extant and remayning were or ought by law to be. 23. El. 3.

For what er-
rors, fines, &
recoueries are
not reuerſable.

20 No fine, proclamations vpon fines, or common recovery heretofore had, leuied, ſuffered or paſſed, or hereafter to be had, leuied, ſuffered or paſſed, ſhalbe reuerſed or reuerſable by any writ of error, for falſe, or incongrue latin, raſure, enterlyning, miſentring of any warrant of Attourney, or of any proclamation, miſreturning or not re-
turning

turning of the Sherife, or other want of forme in wordes, and not in matter of substance. 23. El. 3.

21 **¶** Provided alwayes, that this Act nor any thing therein contained, shall barre or exclude any person, or persons, from any writ of error, which shall be had, taken or pursued, within five yerres next after the end of the Session of this present Parliament, vpon any fine or recovery heretofore had or suffered. Nor from any writ of error which shall be had, taken, or pursued, vpon any fine or recovery, heretofore leuied, knowledged, or had, which fine or fines, recovery or recoveries, or any part or parcel of them, or any of them, now is, or at any time before the first day of June, which shall be in An. Dom. 1581. shall be exemplified vnder the great Seale of England, at and by the suite of any person, that is, or may be intituled to haue or sue any writ of error vpon any the fines or recoveries heretofore passed. Nor to beare any femme couert, or any person within the age of xxi. yerres, or any person that is non Compos mentis, in prison, or beyond the Seas of or from any writ of error to be had or prosecuted, for the reuersing of any fyne or recovery heretofore passed, leuied or suffered, so that such femme couert, or her heires, within seven peeres next after that she become sole, and such persō within the age of xxi. yerres, or his heires, within seuen yerres next after he shal come and be of ful age of xxi. pers. And such person that is non Compos mentis within seven yerres next after he shall become of safe memory, and in default thereof, the heires of such person that is non Compos mentis within seven yerres after the death of such person being non Compos mentis. And such person in prison or his heires, within seven yerres next after the same person shall be at liberty. And such person beyond the Seas or his heires, within seven peeres next after the returne of such person, into this Realme of England, or the death of the said person, if he shal before his returne, dye in any forreigne countrey, shall sue, take and prosecute their writtes of error, as their cases severally shal require, for reuersing of any the said fines or recoveries, heretofore passed, leuied or suffered. 23. El. 3.

What persons may haue writs of error to reuerse fines, and in what cases.

22 **¶** Provided alwayes, that if any person or persons, shall within the time and peeres afoze mencioned, commence or sue his or their writtes of error, for the reuersing of any the saide fines or Recoveries heretofore passed, which suite shall fortune to abate by the death of any the partyes to the same, Then it shall and may bee lawfull for his and their Heyres, at any time within one peere next after the sayde seven peeres expired, to haue, sue, and take their Witte of error, for the reuersing of euery such fine, and Recovery. And if such heire be an Infant, within the age of xxi. peeres, then within one yere

A remedy for h heire, where the aunceler dieth hanging the suite.

Fines.

next after the full age of such infant. Any thing in this acte &c. notwithstanding. 23. El. 3.

**The day and
pere of the
knowledge of
a fine, or war-
rant of Attur-
ney, for a reco-
uery, shalbe
certified.**

23 ¶ Every person that shall at any time hereafter take the knowledge of any fine or warrant of attorney, of any tenant or vouchee, for suffering any common recovery, or shall certifye them or any of them, shall with the certificate of the concord or warrant of Attorney, certifye also the day and pere wherein the same was knowledged. And no person that taketh any such knowledge of any fine or warrant for any recovery, shall be bounden, or by any meanes enforced, to certifye any such knowledge, or warrant, except it be within one pere next after the said knowledge taken. And no Clerke or officer shall receiue any writ of covenant, or writ of entrie, whereupon any fine or common recovery is hereafter to passe, vntlesse the day of the knowledge of the same fine and warrant shall appeare, in or by such certificate, vpon paine that euery clarke y^e shall receiue any such writ, shal forf. for euery time that he shal so offend. v. li. And that no Attur-
Atturment. nement in or vpon any fine, be entred vpon record, except the partie mencioned to attur-
ne therein, first haue appeared in the court in person, or by attorney warranted by the hand of one of the Iustices of the one Bench or the other, or of one Iustice of Assise, vpon a writte of Quid iuris clamat, quem redditum reddit, or per quæ seruicia, as the case requireth: And euery Entrie of Atturment hereafter to be made, where there shalbe no apparance, as afoze is said, shalbe vtterly voyde, and of none effect, without any writ of error, or other meanes to be vsed for auoyding thereof. 23. El. 3.

**The office of
inroulements.**

24 ¶ There shalbe for euer one office for the inroulment afozesaid, which shalbe and continue an office for euer, called the office of inroulements of writtes for fines and recoveries. And the Iustices of the common ples for the time being (other then the chiefe Iustice) shall haue and take the care and charge of and for the inroulmentes afoze-
**Fees for in-
roulment of
fines and reco-
ueries.** saide, and shall haue and enioy the said office and the disposition thereof, and carefully see and looke to the execution thereof: and in consideration of their charges, paine and trauaile therein, shal haue and take the summes of money hereafter following, and no more. That is to say, for the inroulment and examination of euery fine, and the parties thereof befoze mencioned, the summe of sixe shillings viii. d. And for the inroulment of the said parts of euery recovery, and the examination thereof sixe shillings eyght pence. And for euery exemplification of y^e inroulment of any fine v. s. And for the exemplification and returnes of euery writ of Entrie, summons and warrantizandes and warrants, five shillings. And for the search of the roules of one pere

perce iiii.d. And for y^e copy of one sheete of paper conteining xiiii. lines
 iiii.d. And the said Iustices or one of them, shall examine the inroul-
 ments of euery such fine, and partes of recoueries, and forthwith after
 examination thereof, and immediatly after the inroulment of euery
 such fine and partes of recoueries, write his name that so examineth,
 with his owne hand in the Rolle therof, vpon paine that the said Ju-
 stices shal forf. to the Q. v. li. for euery time that they, or some one of
 them shall make default of such examination, or writing of his or their
 name, as afoze is said. And it shall and may be lawfull to and for the
 Iustices of the said court or common ples, from time to time, to take
 order in all things that shalbe conuenient, and needful for the inroul-
 mentes afozelsaid. And vpon examination in the said court to aslesse
 such fine or amerciament, vpon any Clerke, Sheriffe, Deputie, At-
 turney, and other person for his and their misprision, contempt & neg-
 ligence, for not doing, or misdoing in any thing, of, in or concerning
 the said fines and recoueries, or any part of them or either of them, as
 by the said Iustices of the saide court of common ples for the time
 being, shall bee thought meete and conuenient, The saide fine
 and amerciament to be estreited amongst other fines & amerciaments
 of that court, where such offence or misprision shall be committed.

Assessing of
 fines for mis-
 prision, con-
 tempt, or neg-
 ligence.

23. Cl. 3.

25 ¶ The Chirographer of fines of the common pleas for the
 time being, for euer shall write and make, or cause to be written and
 made for euery Countie, where her Maiesties writt runneth, one Ta-
 ble, wherein shalbe contained such contents of euery fine, that shall
 passe in any one Terme, as hereafter is mentioned, that is to say,
 the name of the Countie, wherein the tenements mentioned in any
 fine, be, the name of euery plaintiffe and deforciant, and of euery ma-
 nor named in the fine, if any such bee, and of the Townes and places
 where the tenements in such fine comprised, doe lie. And the first day
 of the next terme after the ingrossing of euery such fine, shall fixe e-
 uery of the said tables, vpon some open place of the Court of com-
 mon ples, and so euery day of the said terme during the time of sit-
 ting of the said Court. And the sayd Chirographer shall deliuer to e-
 uery Sherife of euery countie, his vnder Sherife or deputie, faire
 written in parchment, a perfect content of the table, so to be made for
 that shire, in the terme that shalbe next befoze the Assises be holden in
 the said Countie, or els meane betweene that Terme and the saide
 Assises. And euery such sherife to whome such parchmentes with the
 contents afozelsaid, shall be deliuered, the first day of the next Assises
 after the deliuerie thereof vnto him, and euery day during the saide

A table con-
 teining the
 content of eue-
 ry fine, shall be
 set vp in the co-
 mon place, and
 at the generall
 assises.

Fines.

The Chirographer his fee for the content of a fine.

assises, shall fixe and set by the same writing vnde faced in some open place in the court where the Iustices of the assise of that countie shall sit, and shall see the same to continue there, during such time as the said Iustices shall sit there in court, vpon paine that euery Chirographer and Sheriffe offending against any thing in this Acte contayned, shal forfeit to the Queene and Informer v. li. to be recovered in any Court of recorde, wherein no Essoyne, P. or W. shall be allowed. And the Chirographer for the time being, shall haue and take for euery such content of euery fine so set downe, in the table aforesaide iiii. d. 23. El. 3.

Earle of Kent his title.

26 ¶ And for as much as vpon great examination it appeareth, that diuers fines and recoveries haue bene heretofore leuied and suffered of diuers Manours, Messuages, Landes, Tenementes, and Hereditamentes which sometime were the inheritauce of George sometime Earle of Kent, Great Grandfather to Henrie now Earle of Kent, in vse, possession, reuerision or remainder, whereunto the said now Earle of Kent pretendeth title, in vse, possession, reuerision or remainder, which if they be erroneous, as is pretended, doe much vary from the generall cause and mischiefe, for which this Statute meaneth to prouide: Therefore this Statute nor any thing therein contained, shall extende to take away any writte of error, whereunto any person or persons is now, or hereafter shalbe lawfully intituled for the reuersing of the said fines & recoveries, or any of them heretofore leuied or suffered of any of the said Manours, Messuages, lands, tenements or hereditaments, which late were any part or parcell of the inheritace of the said George, sometime Earle of Kent, in vse, possession, reuerision or remainder, Any thing in this Stat. &c. notwithstanding. 23. El. 3.

Records are not to be removed forth of the office.

27 ¶ It shall and may be lawfull for the Iustices clarkes authorized by their warrant in the said seuerall offices, and places where the same recordes, or any of them doe or shall remaine, to write out, or inroule the same recordes, and euery part thereof, without any thing to be payd therfore: And the said Recordes, nor any of them, for the writing out, or making the roules thereof, by the Clarkes of the said Iustices, otherwise then for the examination thereof, by the Iustices, shalbe brought, or carried forth of the said offices, or places. 23. El. 3.

No fines or recoveries amended, after exemplification.

28 ¶ None of the fines or recoveries heretofore leuied, passed, or suffered, which shalbe exemplified vnder the great Seale, according to the forme of this acte, shall after such exemplification had, be in any wise amended. 23. El. 3.

29 ¶ Every writ of covenant, and other writ wherupon any fine heretofore hath bin leuied, or hereafter shalbe leuied, the returne thereof, the writ of Dedimus Potestatē made for the acknowledging of any of the same fines, the returne thereof, the concord, note, and foote of every such fine, the Proclamations made thereupon, & the kings silver, and also every Originall writte of entree in the Post, or other writte wherupon any common recovery hath bene suffered, or hereafter shalbe suffered or passed, the writte of Summons ad warrantizandum, the returnes of the said originals, & writs of Summons ad warrantizandū, and every warrant of Atturney, had, or to be had, aswel of every demandant and tenant, as Clouchee extant and remayning, or that shalbe extant & in being in the courts of Assises or great sessions within the xii. shires of Wales, towne and county of Hauerford west, and Counties Palantines of Chester, Lancaster & Duresme, or in the custody of the officers, to whome the charge of keeping thereof doth appertaine, may vpon the request or election of any person or persons, bee inrolled in Rolles of Parchment, by such persons and for such considerations, as hereafter in this act shalbe mentioned. And the Inrollements of the same or any part thereof shalbe of as good force and validitie in Lawe to all intents, respectes, and purposes, for so much of any of them so enrolled as the same being extant and remayning, were bought by Lawe to be. 27. El. 9.

Inrolment of fines and recoveries in Wales and the counties palantine.

Glamorgan.
Brecknocke.
Radnor.
Carmarthen.
Pembroke.
Cardigan.
Montgomery.
Denbigh.
Flint.
Canarvon.
Anglesey and Merioneth.

30 ¶ No fine, Proclamations vpon fines, or common Recovery heretofore had, leuied, suffered or passed, or hereafter to be had, leuied, suffered or passed in any of the said xii. shires of Wales, Towne and county of Hauerford west, or Counties Palantine shalbe reversed or reuersable by any writ of Error, for false or incongrue latine, rasure, interlining, misentring of any warrant of Atturney, or of any Proclamation, misreturning, or not returning of the shirife, or other want of forme in words, and not in matter of substance. 27. El. 9.

For what Errors fines and recoveries are not reuersable.

31 ¶ Provided alwaies, that neither this act, nor any thing therein contained, shal barre or exclude any person or persons, from anie writ of error which shalbe had, taken, or pursued within five yerres next after the end of this session of this present Parliament, vpon any fine or recovery heretofore had or suffered in any of the courts aforesayde. Nor from any writte of Errour, which shall bee had, taken or pursued vpon any fine or recovery, heretofore in any of the Courtes aforesaid, within any of the said twelue shires of Wales, or Towne & County of Hauerford west: which fine or recovery or any part or parcel thereof now is, or at any time before the first day of June, which shalbe in the yere of our Lord God, 1585, shalbe exemplified vnder the

In what cases writs of error shalbe allowed

Judiciall

Fines,

Judiciall seale of the sayd courts, at or by the suite of any person that is or may be entituled to haue or sue any writ of Error vpon any the same fines or recoveries so heretofore passed. Nor from any writte of error which shalbe had, taken, or pursued vpon any fine or Recovery heretofore leuied, knowledged, or had in any of y^e courts aforesaid, within any of the said countie palatine, which fine or recovery, or any part or parcel thereof now is, or at any time before y^e said first day of June, which shalbe in the yere of our L. God, 1585. shalbe exemplified vnder the seale of the same countie palatine, where y^e same fine or Recovery shalbe so leuied, knowledged, or had, at, or by the suite of any person y^e is or may be entituled to haue, or sue any writ of error vpon y^e same fine or recovery so heretofore passed. Nor to barre any Feme couert or any persō within the age of 21. yeres, or any persō y^e is non cōpos mentis, in prison, or beyond y^e seas, of, or frō any writ of error to be had, or prosecuted for y^e reuersing of any fine or recovery heretofore passed, leuied, or suffered in any of y^e said 12. shires of wales, town & countie of Wauerford west, or countie palatine. So y^e such Feme couert or her heirs within 7. yeres next after y^e she become sole, & such person within the age of 21. yeres or his heirs within 7. yeres next after he shal come & be of full age of 21. yeres, & such person y^e is non cōpos mentis within 7. yeres next after he shal become of Sanæ memoriæ, and in default thereof, the heirs of such person that is (Non compos mentis) within 7. yeres next after y^e death of any such person, being non compos mentis & such persō in prison, or his heirs within 7. yeres next after the same person shalbe at liberty, & such person beyond y^e seas, or his heirs within 7. yeres next after y^e returne of such person into this realm of England, or y^e death of the said person if he shal before his returne die in any foraine countie, shal sue, take and prosecute their writs of error as their causes shal severally require for reuersing of any of the said fines or recoveries heretofore passed, leuied or suffered. 27. El. 9.

A remedy for the heire, when the Muncesors dieth hanging the suite.

32 If any persō or persōs shal within y^e time & yeres aforesaid cōmence or sue his or their writs of error, for y^e reuersing of any of y^e said fines or recoveries heretofore passed, which suite shal fortune to abate by the death of any of the parties to the same: Then it shal & may be lawfull for his and their heirs at any time within one yere next after the said 7. yeres expired, to haue, sue, & take their writ of error, for the reuersing of euery such fine and recovery. And if such heire bee an infant within the age of 21. yeres, then within one yere next after the full age of such infant. Any thing in this act &c. notwithstanding. 27. El. 9.

The day and yere of the knowledge of a fine or warrant of Attorney for a recovery shalbe certified.

33 Euery person y^e shal at any time hereafter take the knowledge of any fine, or warrant of Attorney, of any tenant or Vouchee for suffering any cōmon recovery to be leuied, knowledged, passed or had, within any of y^e said 12. shires of wales, town & countie of Wauerford west, or countie

ties palantine, or shal certifie the or any of the, shal w the certificat of
 p concord, or warrant of atturney, certifie also p day & yere wherein p
 same was acknowledged. And no persō p taketh any such knowledge
 of any fine, or warrant for any recovery, shalbe bound or by any meanes
 enforced to certifie any such knowledge or warrant, except it be w in
 one yere next after p said knowledge take. And no clerke or officer in
 any of p said 12. shires of wales, town & county of Hauerford west, or
 countie palantine shal receiue any writ of couenant or writ of entree,
 or any other writ wherupon any fine, or comō recovery is hereafter to
 passe, vnlesse p day of p knowledge of p same fine, & warrant shal ap-
 peare in or by such certificat, vpon pain p euery clerk p shal receiue any
 such writ, shal forf. for euery time p he shal so offend, the sūme of xl. s.
 And no atturnemēt, in, or vpon any such fine, in any p courts aforesaid **Attournement.**
 shalbe entred vpon record, except p party mētioned to atturn therein, first
 haue appeared in the court in persō, or by aturney warranted by p hāds
 of one of p iustices of p same court, vpon a writ of quid Iuris clamat, que
 redditū reddit, or per que seruitia, as p cause requireth. and euery entry
 of atturnemēt herafter to be made in any of p courts aforesaid, wherin
 ther shalbe no apparāce as aforesaid, shalbe utterly void & of none effect
 wout any writ of error or other meās vled for auoidīg therof. 27. El. 9

34 There shalbe for euer an office for p inrolmēts aforesaid in euery
 of p said 12. shires of wales, town & county of Hauerford west, & countie
 palantine, which shalbe & cōtinue an office for euer called p office of p
 inrolmēts of fines & recoveries. And p iustices of p saide xii. shires of
 wales, town & county of Hauerford west, & countie palantine for p time
 being, p is to wit, euery of the w in p limits & precincts of their seueral
 authorities & cōmissions, shal haue & take p care & charge of & for p in-
 rolment aforesaid, & shal haue & enioy p said office & the dispositiō ther-
 of, & carefully see & looke to p executiō therof. And in consideration of
 their charges, pain & trauaile therein shal haue & take the sūmes of mo-
 ney herafter following & no more, p is to say, for the inrolment & exa-
 mination of euery fine, & the parts therof v. s. And for p inrolment &
 examinatio of euery recovery & the parts therof v. s. And for euery ex-
 emplificatiō of p inrolment of euery fine & p parts therof iii. s. iiii. d. &
 for euery exemplificatiō of p inrolment of euery recovery & the partes
 thereof iii. s. iiii. d. & for p search of the rols for one yere iiii. d. & for the
 copy of one sheete of paper containing 14. lines iiii. d. And the Justi-
 ces of the sayd courtes of assises or great sessions for the time being,
 w ichin the saide xii. shires of wales, towne and county of Hauerford
 west, and countie palantine, or any one of them w ichin the seueral li-
 mits and precincts of their said seuerall cōmissions, shal examine p in-
 inrolment of euery such fine & recovery, & of p parts therof, & after such
 examinatio of the inrolment of euery such fine and recovery, & of the

The office of
Inrolments.

Fees for in-
rolments and
exemplificati-
ons of fines &
recoveries.

Fines.

Assessing of
fines for mis-
prision, con-
tempt or neg-
ligence.

parts therof, shal immediatly write his name that so examineth, with his owne hand in the rolle thereof, vpon paine that the saide Iustices shall forfait to the Queenes maiestie the summe of xl.s. for euery time that they or one of them shall make default of such examination, or writing of his or their name, as is aforesaid. And it shall and may bee lawfull for the said Iustices or any of them for the time being, to take order in all thinges that shalbe conuenient and needfull for the inrolments aforesaid, and vpon examination in the saide courtes to aslesse such fine or amerciament vpon any Shirife, Clerke, Deputie, Atturney or other person for his and their misprision, contempt and negligence for not doing, or misdoing in any thing, of, in, or concerning the sayde fines or recoueries, or any part of them, or either of them, as by the said Iustices for the time being, or any one of them shall bee thought meete and conuenient. The said fine and amerciament to be estrated amongst other fines and amerciaments of that court, where such offence or misprision shalbe committed. 27. Eliz. 9.

The exempli-
fication of as-
good force, as
the originall
recoyde.

35 ¶ The exemplification of any such Inrolment of any fine, or recouerie, or of any part thereof within any of the sayde xii. shires of Wales, or of the said Towne and Countie of Hauerford west, vnder the Iudiciall seale of the said Shire, Towne, or Countie where such fine or recovery was leuied, had, or passed, and the exemplification of any such Inrolment of any fine or recovery, or of any part thereof, within any of the said Counties Palantine, vnder the Seale of that Countie Palantine, where such fine or recouerie was leuied, had or passed, shalbe of as good force and validitie in the lawe to all intents, respects & purposes, for such part and so much of any of them, as shal be so exemplified, as the very original recoyde it selfe being extant and remayning, were or ought by law to bee. 27. Eliz. 9.

Recoydes shal
not be remo-
ued forth of
the offices.

36 ¶ It shalbee lawfull for the Iustices clerkes, authorized by their warrant in the said seuerall offices and places, where the same recoydes or any of them doe or shal remaine, to write out, or enrolle the same Recoyses and euery part thereof. And the said Recoyses nor any of them, for the writing out or making of the Rolles therof, by the clarkes of the said Iustices, shalbe brought or caried forth of the saide offices or places. 27. El. 9.

No amends-
ment of fine or
recovery after
exemplificatiō.

37 ¶ None of the sayd fines or recoueries aforesaide heretofore leuied, passed or suffred, which shalbe exemplified vnder any Iudicial seale of any of the said shires of Wales, or towne or Countie of Hauerford west, or vnder the seale of any of the said counties Palantine, according to the forme of this act, shal after such exemplifications had, be in any wise amended, 27. El. 9.

38 **T**his act or any thing therein contayned, shall not in any wise extend to y^e prejudice of the heires of S. Edward Grey Knight, Lord Powys deceased, or of Sir Edward Herbert Knight, or his heires or assignees, Henry Vernon, or John Vernon, Esquiers, or their heires or assignes for or concerning any fine leuied, or recovery suffered by or against the sayde Lord Powys, of any Baronies, Honours, Mannours, Lands, tenements, or hereditaments, in the countie of Mountgomery, or any exemplification thereof, or for or concerning any writ of Error brought, or to be brought for the reuersing of any such fine, or recovery. But that they and euery of them, shall haue and enjoy the same right, title, benefite and aduantage to all intents & purposes, as if this act had neuer bene had or made. 27. El. 9.

39 **A**nd forasmuch as vpon great examination, it appeareth that diuers fines and recoveries haue bene heretofore leuied and suffered of diuers castles, manors, mesuages, landes, tenements, and hereditaments, which sometime were the inheritance of George, sometime Earle of Kent, great Grandfather to Henry, now Earle of Kent, in vse, possession, reuersion, or remainder, wherunto the said now Earle of Kent pretendeth title in vse, possession, reuersion, or remainder, which if they bee erroneous, as is pretended, doe much varie from the generall cause and mischiefe, for which this statute meaneth to provide. Therefore this statute, nor any thing therein contained shal not extend to take away any writte of Error, wherunto any person or persons is now, or hereafter shalbe lawfully entituled to haue for the reuersing of the said fines, and recoveries, or any of them heretofore leuied or suffered of any of the said Castles, manors, mesuages, lands, tenements, or hereditaments, which late were any part or parcell of the inheritance of the saide George sometime Earle of Kent, in vse, possession, Reuersion, or Remainder, Any thing in this statute, &c. notwithstanding. 27. El. 9.

1 That writs of Couenant and all other writtes may bee sued for fines, to be leuyed of any Ecclesiasticall profit, S. Tithes. 23.

2 The fee of the Chirographer of the common place for a fine leuyed. S. Chirog. 1.

3 That writtes shall be inrouled whereupon fine shalbe leuyed. S. Chirog. 2.

4 For the leuying of fines in Wales, making the proclamations & paying the Queenes siluer, & other fines, S. Wales. 21. 22. 23.

Fish and Fishers.

Whosoeuer taketh Salmones in any water wherin Salmones be commonly caught, from the natiuitie of our Lady, vntill

Taking of
Salmons.

till

till Saint Martens day (except in the Countie of Lancaster where they may be taken at all times sauing betwixt Michaelmas and Candlemas) or taketh, or destroyeth by nets or other engins yong Salmons at mill pooles, or in any other places, from the midst of Aprill, vntil y^e feast of S. Ioh. Bap. or doth put in any waters of this realme, at any time of the yere, any nets or engins whatsoever, by the which the frie or breed of Salmons, Lampries, or other fish may in any wise be taken or destroyed, shal for the first offence haue his nets burned, for the second, imprisoned a quarter of a yeere, and for the thirde a whole yeere, and so further as the trespassse increaseth, which punishmentes for offences in fresh waters shalbee executed by conseruatozs swozne.

Conseruatozs. 13. Ed. 1. 46. 13. R. 2. 19. The Iustices of peace shalbe conseruatozs of this statute in the Counties where they bee Iustices, and they shall appoint vnder conseruatozs which shall be swozne. And if any be conuict of an offence committed contrary to this statute, he shalbe imprisoned, and make fine at the Iustices discretion. And the Mayor of London shall haue the conseruation of this statute in the Riuer of Thames and Medway. 17. R. 2. 9.

Exactions on them which traueil for fish.

2 ¶ If the Admirall, or any Officer or minister of the Admiraltie, shall exact, receiue, or take by himselfe, his seruant or deputie, of any marchaunt or fisherman any summe of money, doles or shares of fish, or any other reward, or benefite, for any licence, to passe this Realme into Iselande, Newfoundlande, Irelande, or other places commodious for the getting of fish, or for any other respecte concerning the sayde voyages, hee shall forsaite for the first offence, treble the summe or value of the rewarde so taken, to the Queene and In. &c. to be recouered by A. J. &c. wherein no W. &c. E. P. &c. and for the second offence, shal lose his office and make fine at the Queenes pleasure. 2. Ed. 6. 6.

Taking of spawne.

3 ¶ Whosoever doeth by any engine, cautele, wayes, or meanes whatsoever, take and kill any yong broode, spawne or frie of any fish in any fludgate, pipe, at the tayle of any mill, weare, or in any straits, streames, brookes, Riuer salt or fresh, or shall take in any of the foresayde places, Kepper, or Shedder Salmons or Troutes not being in season, shall forsaite for euery offence twenty shillinges, the fish so taken, and the nettes, engins &c. wherewith hee tooke the same. 1. El. 17. 27. El. 11.

Taking of salmons or troutes not seasonable.

The length of fish which may be taken.

4 ¶ Whosoever doeth take & kill any pickrel not being in length x. inches fish, or more, or any salmon not being xvi. inches, or any trout not being viii. inches, or any barbell not being in length xii. inches or more, or doeth fish with any net, Tramel, kepe, woze, huiue, crele, or other

ther engine or deuise, but onely with net or Tramell, whercof euery meshe shalbe two ynches and a halfe broad, (except angling, and fishing for the onely taking of smelts, loches, minowes, bulheads, gudgeons or Eels, in such places where they haue bene vsed to be taken and killed) shall forfeite for euery offence twenty shillings, the fish so taken, and the vnlawfull nets and engins wherewith hee tooke the same. 1. El. 17. 27. El. 11.

Of what mesh
each net ought
to be.

5 **P**rovided that this statute extende not to the fishing of the Riuer of Tweede, or of any water, whercof the Queene is answered any yerely rent or profite, nor to the owners, farmours, or occupiers of the Riuers of Uske, or Wyre, in the Countie of Downmouth. 1. El. 17. 27. El. 11.

Tweede, Uske,
Wyre.

6 **E**uery person which ought to haue conseruation of any Riuer, streame or water, or punishment of offences committed in any of them, hath authoritie to enquire, by the othes of twelue men or more, and to heare and determine al the offences committed contrary to the true meaning of this act, within his iurisdiction. 1. Eliz. 17. 27. Eliz. 11. to continue to the end of the next Parliament now next ensuing. S. Lectes 6. Justice of peace 40.

7 **W**hosoever shall by day or night vnlawfully breake, cut downe, cut out, or destroy the head, or damme of any ponde, poole, moat, stang, stewe, or seuerall pit, wherein fish are or shall bee put, or stored by the owner or possessor thereof, or shall wrongfully fish in any of the sayde seuerall pondes, pooles &c. to the intent to destroy, kill, take or steale away any of the same fish against the will of the owner or possessor of the same, not hauing lawfull authoritie so to doe, shall pay to the partie grieved his treble damages, suffer imprisonment thre moneths, and then shall finde sufficient suretie for his good abearing for the space of seuen yeeres after, or else shall remaine in prison vntill hee hath founde sufficient suretie, and it shalbe lawfull for the partie grieved, to sue and take his further remedie against enery such offendour, for his losse and damages before the Iustices of peace, Iustices of assise, and Iustices of oyer, &c. or els where, in any other the Queenes courts of record, and vpon satisfaction, or confession of the damages to release to the offendour, the suretishippe of good abearing at any time within the seuen yeeres. 5. El. 21. S. Justice of peace. 34.

Destroying of
pooles or fis
hing.

8 **W**hosoever selleth or putteth to sale any Salmon, by But, barrell, halfe barrell or other vessell, before it be seene, except the But doe containe foure scoze and foure gallons, the barrell xlii. the halfe barrell xxi. gallons, well and faithfully packed, shall forfeite for euery vessell

Packing of
salmon, & the
contents of
the vessels.

vessel so lacking measure, vi. s. viii. d. and hee that doeth not packe the great salmon by it selfe, and the small fish called grilles by it selfe, but doeth mingle the great salmon with the grilles or broken bellicd salmon, shall forfeite for every vessel so packed and put to sale vi. s. viii. d. 22. Ed. 4. 2. 11. W. 7. 23.

Herrings.

9 ¶ Who so ever putteth to sale any Herring by barrell, halfe barrell, or firkin (except the barrell containe two and thirtie gallons, the halfe barrell and firkin after the same rate,) and that the Herring be of one times taking and salting, and except it be wel and iustly couched and packed in the middest, every end, and part therof, shall forfeite for every offence iii. s. iii. d. 22. Ed. 4. 2. 11. W. 7. 23. But the assise of xxii. gallons of wine measure, which is about xxviii. gallons by olde Standerd, well packed, and containing in every barrell a thousande full Herring at the least, shall be taken for true and lawful assise of herring barrells. 13. El. 11. S. 3. Ed. 3. that sixe score herrings be accompted a hundred, and x. thousand a last.

Eles.

10 ¶ Whosoever putteth to sale Eles, except the barrell doeth containe xlii. gallons, the halfe barrell and firkin after the rate, or mingleth, packeth & putteth to sale any red, galbeaten, mozen, or slip-ped eles, with good eles, shall forfeite for every such offence x. s. 22. Ed. 4. 2. 11. W. 7. 23.

How fish shall be packed.

11 ¶ Whosoever putteth to sale any barrelled fishe, except the countable fish, called tale fish be packed by it selfe, and the small fish called grilles by it selfe, without mixture of them, and without packing of fish with broken bellies with tale fish, or small fish, or doeth lay tale fish or small fish double in packing, or packeth any tale fishe which doeth not containe in length from the bone in the finne to the thirde ioynt of the tayle, sixe and twenty pynches at the least, or packeth Fish, the napes wherof bee longer then to the litle bone, which is vpon the great finne, or which fish is not splatted downe or opened to a handfull of the tayle, or the bone whereof is not taken away to the navell of the same fish, shall forfeite thre shillings and foure pence for every barrell which shall be founde not packed, sorted, mixt, naped, layd double, or not boned as is aforesayde &c. 22. Edw. 4. 2. 11. W. 7. 23.

What the gaugeour shall take for packing of fish.

12 ¶ Every Gaugeour, packer, and searcher shall take no more for gauging of a barrell of salmon, herring, fish, eles, halfe barrell and firkin, then for every piece q. and for his labour for searching and packing (if need be) of a barrel of salmon, from head to head i. d. & for boning, naping, and packing of a barrell of fish (if it be neede) i. d. and for searching and packing of a Barrell of Herring (if need be) ii. d. and for

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11. W. 7. 23.

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Eliz. 11.

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or sende into
whatsoever,
out or from
of the Que

Q. 7.23.

**What herings
may be bought
of strangers.**

God & ling shall
be brought
loose into this
realme.

Fifth brought
in by strangers
shall not bee
dyed in En-
gland.

The sale of herrings.

Englishmen,
nor denizens
shall not sende
into foraine
regions to buy
salt fish or
herrings.

rings, nor shall make any agreement with any Alien or Stranger, or any other for such bringing into this Realme by any Alien or Straunger, of any Salted Fish or Salted Herrings. And no salted Fish nor Salted Herringes shall bee brought hither out of the sayde foraine Realmes and Dominions, but by the meere owners thereof, or Deputies of them being Aliens and Straungers, without the procurement of any Subiect of the Queenes Maiestie, her heires or successours, or of any Denizen, and by none other person or persons, vpon paine that such Englishe person or Denizen offending against this Acte shall forfeite the same Salted Herringes, and Salted Fish or the value thereof, to the Queene and him that will first seise the same, or first sue for the value thereof, by Accion, Bill, Plaint, or Information, wherein no Wager, Elloyne, &c. 23. Eliz. 7.

Englishmen
transporting
fish, which
Aliens shal buy.

18 **I**t shall bee lawfull for all and euery her Maiesties subiectes, being owners of any Shippes, Barkes, or Vessels, to receiue and take into their sayde Shippes, Barkes, Crayets, and vessels sayling with crosse Sayles, any Herringes or other fish, which any Alien or Straunger shall buy and prouide of any of her subiects within this Realme. And the sayde Herringes and fish or any of them may transport into any partes beyonde the Seas, in their said ships or Vessels with crosse Sayles, so as the sayde Aliens or Straungers pay to her Maiestie her Customes and duties for the same. 23. Eliz. 7.

What custome
Aliens shall
pay for salted
fish & salted
herring.

19 **A**ll Aliens and Straungers, shall from hencefoorth, and from time to time, pay to her Maiestie for all salted Fish and Salted Herring to bee brought into this Realme, all such like Customes and impositions, as are or shall bee imposed and set vpon any her Maiesties subiectes in those foraine Regions and countreyes, Portes and Townes from whence the sayd salted fish and salted Herringes shalbe shipped and brought for the like fishes & herringes ouer and besides the ordinary customes, which haue bene payed to her Maiestie for y^e same. 23. El. 7.

Practising of
deceitful actes
to auoyde this
stat.

20 **I**f any person or persons shall doe, suffer, cause, or procure any fraudulent, deceitfull or colourable act whatsoever, whereby any part of this acte before mencioned, shall or may be colourably, fraudulently or deceitfully auoyded, or frustrated, contrary to the intent thereof, then euery person so offending, shal forfeite for euery such his offence C. pounde, the one moitie whereof shall bee to our Soueraigne Lady &c. And the other moitie to him or them that wil sue for the same, in any court of Recorde by Bill, Plaint or Information, wherein

wherein no Essoyne, Protection or Wager shall bee allowed. And if any Alien or Straunger shall wilfully conceale any acte or thing whatsoever, to bee done to the deceyving, colouring or defrauding of any bzaunch or article of this estatute before mentioned, Then every such Alien and Straunger shall forsayte for such offence to the Queene his shippe and vessel, and all that thereunto appertaineth, to bee seised to her Maiesties vse by any her Subiectes: And moreover, if any Alien or Stranger bozne, shal bring into any Hauen, Port, Creeke or Towne of this Realme, any salt Fish, or salt Herringes, which shall not be good, sweete, seasonable and meete for mens meat, and shall offer the same to be solde, and shall be warned by any officer of such Port, Hauen or Towne (where the same shall bee offered to bee solde) that the same bee not seasonable nor meete for mens meate, Then if hee or they with their sayde Fish, shall after that, offer any of the sayde vnseasonable fishe, to bee solde to any person within this Realme, or shall not depart with the same from the said hauen, Port, or Towne so soone as conueniently will serue, Then all and every person owners thereof, shall forsaite to our sayde Soueraigne Ladie, all the sayde vnseasonable fishe vnmeete for mans meate as before is sayd. 23. El. 7.

21 **T**his Act, or any thing therein contayned, shall not extend or be preiudiciall to any prouiding or bringing of fish, in or out of the Countrey of Island, Scotland, or Newfoundland, or any the parts or Seas thereunto adioyning, or on the Scottish Seas, nor to any fish, that shalbe killed, taken and salted by the Queenes naturall subiects. Any thing in this Acte &c. notwithstanding. 23. El. 7.

Aliens bring-
ing in vnseasonable fish.

22 **I**t shall bee lawfull for all the Queenes Subiectes, now vsing the trade of bringing in of Staple fishe, and Linges from beyond the Seas, to bring in English bottomes into this Realme, for the better supplie of present furnishing of this Realme with vitayle, all manner of Staple Fishe and Linges being good and wholsome for mans body, during the space of thre yerres next following the end of this session of Parliament. Any thing in this Acte &c. notwithstanding. 23. El. 7.

Bringing of
fish from Ire-
land, Scotland,
Newfoundland.
Bringing of
Staple fish &
Linges.

23 **A**ll ordinaunces of the Fishmongers of London, or of any other Company or Corporation whatsoever, made or to bee made, for restraint of any person to take, or sell Fish, or to buy or prouide any Fishe of any Marchant or other within this Realme, shall bee repelled and voyde. And every person or body corporate, that shall make or execute any such ordinance or restraint, shal for every such offence, forf. C. li. to the Queene and the partie grieved that will sue for the

Ordinances of
companies, for
restraint to
take, buy or
sell fish.

same by A. of debt in any Court of Record, wherein no W. C. P. &c.
23. Eliz. 7.

Staple fish,
Ling and her-
rings may bee
brought into
the North
parts.

24 ¶ It may bee lawfull for any of the Queenes maiesties sub-
iects of this Realme, for seruing of the countries of Yorkshire, Lin-
colneshire, Nottinghamshire, Derbyshire, Cheshire, Lancashire, Cum-
berland, Westmerland, Northumberlande, Bishopricke of Durham,
and North parts, to bring into this Realme from the partes beyonde
the seas in English ships, or Carries, being sailed by English mariners
with crosse sailes, Herringes, Staple fish, and Ling fish, paying the
Queenes custome or subsidie for the same Herringes, and Staple fish,
and Ling fish, to the Citie of Yorke, the townes of Boston, Grimsbie,
Kingstone vpon Hull, Newe castle, Scarborough, or to any Towne
or Creeke in the North partes: so as none of the sayde fish be shipped
from any those North partes, into any place of Englande, South, or
Southwest, from Boston, any act, Statute, or prouiso in any act, &c.
notwithstanding. Provided alwayes that this statute nor any thing
therein contained shalbee prejudiciall or in any manner of wise hurt-
full to the towne of Barwicke vpon Tweade, nor to the Burgesles of
the same Towne, nor to any of them, or to their heires or successours,
but that they may lawfully vse, haue, enioy, and occupy all and singu-
lar such franchises, liberties, vsages, and customes, as at any time her-
etofore they haue, or might haue done, in such manner and forme, as
if this statute had neuer beene made, any thing in the same, &c. not-
withstanding. 27. El. 15. to continue for five yerres now next follow-
ing, and so from thence vnto the end of the next Parliament then next
following.

The liberties
of Barwicke.

Seafish may
be sold vpon
any day ex-
cept Sunday.

25 ¶ It shal and may be lawfull to and for euery the Queens sub-
iects, to utter and sell all manner of sea fish, vpon any flesh day in the
weeke, other then the Sundaies, in euery Citie, Borough, Towne
corporate, or market towne, whatsoeuer within this realme, any char-
ter, Prescription, &c. notwithstanding. 27. El. 11. to continue till the
end of this next Parliament now next insuing.

1 For the transporting of Herring and other sea fish. S. Corne. 1.
Shippes. 1.

2 For restraining or taking tolle of fish brought into this realme.
S. Shippes. 2.

3 That no fisherman shal anker vpon the maine sea, in the time
of the common fishing. S. Shippes. 7.

4 That no fisherman shall bee compelled to serue as a souldier,
or as a mariner, but in certaine cases. S. Mariners 2. 3.

5 That none of the Queenes purueyours shall take any fish from
any

any ma-
neyour
6 V
Rome,

¶ The
Iny fle-
paine to
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son wit
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2 ¶
common
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pressed)
dayes in
time so o
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Leete, fi
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3 ¶
any pers
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which li
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of the pa

any man; that taketh the same in any English mans shippe. See Pur-
veyours, 24.

6 What fish may bee transported without Custome, S. Cu-
stome, 5.

Fish dayes.

It shall not bee lawfull to any person within this Realme, to eat a-
ny flesh vpon any dayes now vsually obserued as fish dayes, vpon
paine to forf. iiii. li. for euery time he shall offend, or else suffer thre mo-
neths close imprisonment, without baile or mainprise. And euery per-
son within whose house any such offence shalbe done, and being priuy
or knowing thereof, and not effectually punishing, or disclosing the
same to some publike officer hauing authoritie to punish the same, for
euery such offence shall forf. xl. s. All which forfeitures for not abstay-
ning from meates shall be diuided into thre equall partes. That is,
one part to the vse of the Queene, her heires &c. the other to the In-
former, the thirde to the common vse of the parish where the offence
shalbe committed, and to be leuied by the Churchwardens after any
conuiction in that behalfe. 5. El. 5. 27. El. 11. 19.

2 **N**o Inholder, Tauerne, Alehousekeeper, common vitailour,
common Cooke, or common tablekeeper, shall vtter or put to sale, or
cause to be vttered or put to sale, vpon any Fridayes, Saterdayes, or
dayes appointed by former lawes to bee fishdayes (not being Christ-
mas day) or vpon any day in the time of lent, any kinde of flesh vic-
tuals, except it be to such person or persons, resorting to his or their
houses, as haue, or shall haue licence to eat the same, according to the
tenour and true meaning of the statute made 5. El. (vide hereafter ex-
pressed) vpon paine of forfeiture of v. li. and shall also suffer tenne
dayes imprisonment without baile, mainprise, or remouer, for euery
time so offending: one third part thereof to bee to the Queene, her
heires &c. one other thirde part thereof to the Lorde or Lordes of the
Leete, for the time being, where such offence shall bee committed;
and the other thirde part thereof, to him or them that will sue for
the same in any of her maiesties courtes of recorde by A. B. P. or J.
wherin no W. C. P. &c. 27. El. 11.

3 **B**ut this act concerning eating of flesh, shall not extend to
any persons hauing speciall licence, vpon causes contayned in the
same, and graunted according to the lawes of this Realme, euery of
which licences shalbe voyde, vnlesse the same conteyne these conditi-
ons, vz. Euery licence made to any person of the degree of a Lorde
of the Parliament and his wife, shall bee vpon condition that they
S. iiii. shall

No flesh shal
be eaten on
fishdayes.

No flesh shal
be vttered on
fishdayes.

Conditions
vpon licences.

shall pay to the poore mens Bore within the parish where they remaine &c. in the feast of the purification of our Lady, or within sixe dayes after xxvi. s. viii. d. and to bee payed within one moneth next after the same feast, vpon paine of forfaiture of y^e same licence. A knight and his wife shall pay perely xiii. s. iiii. d. Euery person vnder the said degree shall pay perely vi. s. viii. d. to the said vse at the foresayde tyme and vpon the aforesaid condition. 5. Cl. 5. 27. Cl. 11.

Licences to
sicke persons.

4 **C** All persons, which by notorious sicknesse shall bee enforced, for the recouerie of their health, to eate flesh for the time of their sicknesse, shall bee licenced by the Bishoppe of the Diocesse, or by the Parson, Vicar, or Curate of such Parish where such person is sicke, or of one of the next parish adioyning (if there bee no Curate &c. in the same parish, or if hee bee wilfull) which licence shall bee signed with the hande of the Bishoppe, Parson, &c. and endure no longer then the time of sicknesse. And if the sicknesse continue aboue eyght dayes after the licence graunted, it shall bee registred in the Church Booke, with the knowledge of one of the Churchwardens. And the partie licenced, shall giue to the Curate iiii. d. for euerie entrie, and it shall endure no longer, but for his sicknesse. And if any licence by any Parson, Vicar, or Curate bee graunted to any person, other then such as evidently appeare to haue neede thereof by reason of their sicknesse, not onely euery such licence shalbe voyde, but also euery such Parson, Curate, or Vicar, shall forfait for euerie such licence otherwise graunted, five Markes. 5. Cl. 5. 27. Cl. 11.

Beefe & veale
excepted.

5 **N**o licence shall extende to the eating of any Beefe, at any time of the yere, nor to the eating of any Veale, in any yeere from the feast of Saint michael the Archangel, vnto the first day of May. 5. Cl. 5. 27. Cl. 11.

For one dish
of flesh, one
dish of Sea
fish.

6 **S**uch persons as haue, vpon good consideration, any lawfull licence to eate flesh vpon any fish day, bee bounde to haue for euerie one dish of flesh serued to bee eaten at their table, one vsuall dish of Sea fish, fresh or salt, to bee likewise serued at the same table, and to bee eaten or spent without fraude or Couin, as the like kinde is or shalbe vsuallie eaten, or spent on Saterdayes (except such persons as for sicknesse, shall for that tyme bee licenced by the Bishop, Curate, or &c. or by reason of age, or other impediment, allowed heretofore by the Ecclesiasticall Lawes of this Realme) vpon the payne aforesayd. 5. Cl. 5. 27. Cl. 11. to continue til the end of the next parliament now next ensuing.

1 That he which saith, the eating of fish, or forbearing of flesh is the

the seruice of God, shall bee punished as a spreader of false newes.
S. Newes, 2.

Force, and Forcible entry.

Wholsoeuer maketh his entry into any lands and tenementes, but in case where his entry is giue by y^e law, & that in peace-
able and easie maner, and not with strong hand & multitude of people, and therof is conuicted, shall bee imprisoned, and pay a fine at the Queenes pleasure. 5. Rich. 2. 7. The like proces shall bee awarded in euery action brought vpon this statute as in a common accion of trespassse at the common lawe. 23. Hen. 8. 14. If the plaintife in this accion after the apparance of the defendand be non suit, or any verdict passe against him, the defendand shall recouer costes against the plaintife. 23. H. 8. 15.

The punishment of forcible entries.

2 **W**holsoeuer doeth enter with force into any landes or tenements, or into any benefices or offices of the Church, or doeth enter peaceably, & after doth holde them with force, vpon complaint thereof made to one or more Iustices of the peace of the countie, or to the Maior, Bailife, Shirife, Iustices or Iustice of peace of the Citie, Towne, or Borough hauing Franchise, where such forcible entry is made, the said Iustice, Maior or &c. shall within conuenient time take sufficient power of the same Countie, Citie &c. and at the costes of the plaintife, goe to the place where the force is made. And if he doe finde any that made such forcible entrie, or that hold the place with force after peaceable entrie made, he shal take the offenders and commit them to the next Gaole, there to remaine conuict by record of the same Iustice, vntill they haue payed a fine to the Queene. And whether y^e parties which made such entries be present, or gone at the comming of the Iustice, the said Iustice, Maior &c. shall in some good Towne or conuenient place, neere vnto the place where such force was made, inquire by a sufficient Iurie of y^e same countie, Citie &c. of them which made such forcible entries. And if it bee found before them, that any haue made entrie in forme aforesaid, the said Iustice, Maior &c. shall reseiue the sayde landes or tenements so entred vpon, and therof put the partie in possession which in such force was put out. 15. Rich. 2. 2. 8. H. 6. 9. S. Iustice of peace. 89.

Forcible entry or forcible detaining of lands.

3 **A**nd if any person after such entrie or holding with force, will make a feoffment, or other discontinuance to any Lorde or other person to haue maintenance therein, the same is utterly voyde. And also in the cases aforesaid, the y^e griued may haue an assise of Nouel disseison, or an action of trespassse against the disseisor, and if the def. be attainted of force, hee shall answere to the plaintife his treble damages,

A feoffment of lands obtained by force.

Forrests, Chases, Parkes, Warrens.

Keeping lands
whereof the
party hath bin
in, peres in
possession.

images, and also pay a fine to the Queene. But they may keepe their possession in force, in any lands or tenements, which either them selues, their Auncestors, or they whole estate they haue, haue bene in possession of the same by the space of thre peeres or aboue. 8. Hen. 6. 9. 1. R. 2. 9.

Each man shal
helpe to res-
moue force.

4 If the Sherife, or any other of the Countie doe not attend vpon the Justice to goe and assist him, to arrest such offenders, hee or they so offending shall bee imprisoned and pay a fine to the Queene. 15. R. 2. 2.

Forcible en-
tries by main-
tenance.

5 Whosoever maketh any forcible entrie into another mans lands in his owne right to his owne vse, or in any other mans right to his vse, by the way of maintenance, and therof is attainted in an assise at the suite of the partie grieved, shalbe one peere imprisoned, and pay to the partie grieved his double dammages. And also shall answere to the partie grieved, damages for his goods, and cattels, if vpon y^e said forcible disseison, he tooke away any. 4. H. 4. 8.

1 What Iurors shalbe returned to inquire of forcible entries, See Iuries. 12.

2 That no discent after a forcible disseison shall take away any mans entrie. S. Entrie. 1.

3 Where a speciall assise is grauntable vpon a forcible entrie, S. Assise. 6.

4 For riots, routs, & vnlawfull assemblies, & all forces thereupon committed, S. Riots.

5 In what cases, in what places and by what persons force and armes may not be vsed, S. Armour. 10. 11.

Forests, Chases, Parkes, Warrens.

The punish-
ment for killing
the Queenes
beare.

N O man shal lose life or member for killing of the Queens beare, but if he be taken therewith & convicted, he shal make a grievous fine (if he hath any thing) if not, he shal be imprisoned a yere & a day, & after shalbe deliuered, if he can find sureties, or otherwise he shall abide iure &c. Charta forrest. 9. H. 3. 10. But to hunt in the night in any forrest, Parke, or Warren, or with painted faces, visors or other disguisings to the intent he would not be knownen, & being examined before one of the Queenes counsell, or a Justice of peace of the same shire, to coreale y^e same offence, or any offence, is felony. 1. H. 7. 7. S. Felony. 24.

Hunting dis-
guised.

The punish-
ment of offen-
ders.

2 The Forresters in whose bailiwicks any trespass done with- in the Queenes Forrest of Vert or Veniston shall bee committed, shall present the same trespasses at the next Swanimont before the Forre- sters, Wardours, regarours, Agistours and other officers of the For- rest, which presentment shalbe made by the othes of knightes, & other

good

good and lawfull men and not suspicious, of the parties abioyning, or nere where such trespasses shalbe presented, & where the trueth may best be knownen. And the trueth being perfectly knownen, then such presentment by the consent of all the said officers, shalbe solemnly witten and sealed with their seales. And if any indictmēt be in other maner, the same shalbe voyde. And no man shalbe take or imprisoned for Tret or Trespason, vnlesse he be taken with the maner, or indicted in forme aforesaid. And the chiefe Warden of the Forrest shall let him to mainprise, vntil the Eire of the Forrest, without taking any thing for his deliuerance, 34. Ed. 1. 1. Ed. 3. 8. And if any officer of the Forrest doeth imprison any person, or doeth compell any person to make any obligation or ransome vnto him, against the ordinance aforesaid, and is thereof attainted, he shall pay to the partie griued his double damages, and make fine to the Q. 7. R. 2. 4.

3 ¶ If any person doe wrogfully, or vnlawfully by night or day, breake, or enter into any Parke impaled, or other seuerall ground inclosed, with wall, pale, or hedge, vled for the keeping, breeding, & che-
 rishing of beare, and hunt, chase, or driue out, or take or kil any beare, within the said ground, he shall yeelde to the partie griued his treble damages, suffer imprisonment by the space of iiii. moneths, & then shall find sufficient sureties for his good abearing by the space of vii. yeres after, or els lie in prison vntil he hath found sureties. But this statute shall not extend to any Parke or inclosed ground vled for beare hereafter to be made, without the graunt or licence of the Q. her heires, successors or progenitors. And it shalbe lawful for the partie griued, to sue & take his further remedie against euery such offender for his losse & damages, before the Iustices of peace, Iustices of assise, & Iustices of Oyer &c. or els where in any other the Q. courtes of recorde. And vpon satisfaction or confession of the damages, to release to the offender the suretiship of good abearing at any time within the seven yeres. 5. El. 21. S. West. 1. 3. Ed. 1. 20. That whosoever committeth trespassse in parkes or ponds, shall make great amendes to the partie, be iiii. yeres imprisoned, make fine at the Q. pleasure, and find surety that he shall not commit the like offence. And if he cannot find surety, he shall abiure, and if he flie and haue no land, he shalbe proclaimed & outlawed. S. Iustice of peace. 34.

Hunting
beare in a
parke or other
inclosed ground

4 ¶ If any Forrester, Parker or Warrener, finde any offenders within his Bailiwiki there wandering, and doing hurt, which after hylp and cry leued to keepe the peace, and obey the law, wil not yelde themselves to the same Forrester &c. but will flie and defende themselves by violence, Then though the Forresters &c. or any other be-
 ing

Killing of offenders in for-
rests, parks, or
warrens.

Forrestes. &c.

ing in their company to keepe the Queenes peace, comming to arrest such offenders, doe slay any of the said offenders, he shall neither suffer death, nor sustaine any other punishment therefoze. But if any of the said Forresters, Parkers or Warrencers, by reason of any contention, despite, or hatred befoze conceiued will lay to any mans charge passing through his Bayliwicke, that hee came thither to doe hurt, whereas he did not, neither was found wandering or offending, and so kill him, and thereof be conuicted, he shalbe punished for his death, as hee ought to be punished for the death of another being in the Queenes peace. 21. Ed. 1.

Noble men
may hunt the
Queenes
game.

5 ¶ It is lawfull for euery Archbishop, Bishop, Earle, or Baron, comming to the Queene at her commandement, and passing by her Forrest, to take one or two of her deare by the view of the Foster, if he be present, or els he shal cause a hohne to be blowē, lest he should seeme to steale it. And likewise may they doe, as they retorne home. Charta forest. 9. H. 3. 11.

Lawing of
doges.

6 ¶ Dogges shalbe lawed euery thre peeres when the range is made by the testimonie of honest men, in those forrestes where doges haue bene vled to be lawed, and not els where, v. the iii. clawes of the forefoote shalbe cut off by the skinne, and he whose dog is not founde lawed, shalbe amerced iii. s. But no Dre shalbe taken for the lawing of dogges. Charta forest. 9. H. 3. 6.

The Iury shal
giue their ver-
dict where
they receiue
their charge.

7 ¶ No Iury shalbe compelled against their willes, by threatnings, or imprisonment, to trauell from the place where their charge was giuen them, to giue their verdict, nor yet to giue their verdict otherwise then their conscience doeth moue them, for any trespass committed within the forest. 7. R. 2. 3. Neither shall those persons which doe remaine without the forest come befoze the Iustices of y forest by comon summons, except they be impleaded, or pledges of any person or persons which be attached for the forest. Charta forest. 9. H. 3. 3.

Euery Iustice
of the forest,
may make
deputies.

8 ¶ Euery Iustice of the Queenes Forrestes, Parkes, and Chases within this realme, by their writing sealed with the seale of their office, shall make and appoint as many deputie or deputies for the exercising of the same office of the Iustice of the forestes, as to such Iustices from time to time shalbe thought conuenient, which deputie and deputies so appointed, shall haue like authoritie to do and execute all things concerning the Queenes Forrestes, Parkes, and Chases, and all other thinges concerning the office of the Iustice of the Forrestes to all intents, and in as ample maner as the same Iustice may lawfully doe, and as though the same Iustice were there personally present. 32. H. 8. 35.

1 Howe ech person may vse his woods, ground, & other thinges which he hath within the forest. S. Woods. 23. 24. 25.

2 That officers of Forrests shall not bee sworne in Enquest. S. Inuries. 4.

3 That a man hauing no parke &c. of his owne, shall not keepe any Bucke stals or Deare haies. S. hunting. 3.

4 That no man shal stalke, but in his owne ground. S. hunting. 4.

5 Howe long Woods felled in a Parke or Grounde inclosed for Deare shalbe preserued from cattell. S. Woods. 20.

6 That he which hath a parke and deare therein, shall be charged to keepe certaine horses therein. S. Horses. 1.

7 Where driftes shall be made of forests or chases, when, and by whome. S. Horses. 7.

Forfeitures.

If any person shalbe indicted, or appealed, of or for the death of any such euill disposed person, which attempteth feloniously to robbe or murder him in or nigh any common high way, cartway, horseway, or footeway, or in his mansio or dwelling place, or for the killing of him which attempteth to breake his dwelling house in the night, & of the same by verdict so found and tried, he shall lose neither landes, tenements, goods or cattels, for the death of any such euil disposed person, but shalbe fully discharged thereof, as if he were acquit of the death of the said person. 24. H. 8. 5.

No forfait for killing of certaine robbers or felons.

2 Every offender being lawfully conuicted of high treason, by verdict, confession, outlawry or presentment, shall forfeit to the Queene all such landes, tenements and hereditaments, which hee shall haue in his owne right, in vse or possession of any estate of inheritance, at the time of such treason committed or at any time after. 5. Ed. 6. 11. But there shalbe no corruption of blood to any heire, nor the wife of the offender shall forfeite her dower, by the attainder of any person for any of the offences made treason by the stat. provided. 5. El. 1. for the assurance of the Q. power ouer al estates, or by the stat. provided 5. El. 1. against the clipping, washing, rounding or filling of Coyne, or by the statute provided. 18. El. 1. against the impairing of the Q. coyne and other coyne's currant within this realme.

Forfait by attainder of high treason.

1 Where a woman shall forfeite her land for making an vnlawful contract of matrimonic. S. Women. 10.

2 Where there shalbe forfeit of lande for committing or consenting to rape. S. Rape. 3.

3 Who

Forging of deedes and wrytings.

3. Who shall haue the forfeitures of all felons goods and landes condemned, S. Prerog, 16.

4. Who shal haue the forf. of a Bishops tenants attainted during the vacation, S. Prerog. 14.

5. That no person arrested and imprisoned shall forf. his goods before he be conuicted, &c. S. Sherifes, 26.

Forging of deedes and wrytings.

Forging of
any deedes,
whereby ano-
thers freehold
shalbe trou-
bled.

If any person vpon his owne head and imagination, or by false con-
spiracie and fraude with others, shal wittingly, subtilly, and falsly
forge or make, or subtilly cause, or wittingly assent to be forged or
made any false deede, charter or wryting sealed, court roule, or the wil
of any person in wryting, to the intent that the estate of freehold or in-
heritance of any person or persons, of, in, or to any landes, tenements,
or hereditaments, freehold or copie hold, or the right, title, or interest
of any person, of, in, or to the same or any of them, shall or may be mo-
lested, troubled, defeated, recouered or charged, or shal pronounce, pu-
blish, or shewe forth in euidence any such false & forged deede, charter,
wryting, court roule, or wil, as true, knowing the same to be false and
forged, to the intent aforesaid, and shalbe therof conuicted, either vpon
accion or accions of forger of false deedes, founded vpon this statute,
at the suite of the partie griued, or otherwise according to the course
of the law, or vpon bill or information exhibited in the Starre cham-
ber, he shall pay to the partie griued his double costs and dammages
found or assessed in the court where such conuiction shalbe, & also shall
be set vpon the pillorie in some market towne, or open place, & there
haue both his eares cut off, & his nostriles slitte, cut & seared wth a hott
Iron, so as they may remaine for a perpetuall marke of his falshode,
& shal forf. to the Q. the whole issues & profits of his landes, during his
life, & shal suffer perpetual imprisonment during his life. The sayde
damages & costes to be recouered at the suite of the partie griued, to
be first payd & leuied of the goods & cattels of the offender, & of the is-
sues & his profits of landes &c. or of one or both of them, the title of
the Q. &c. notwithstanding. 5. El. 14.

Forging a
deede whereby
a lease or an-
nuitie may be
claimed.

2. **I**f any person vpon his owne imagination, or by false conspi-
racie or fraud with any other, shal wittingly, subtilly & falsly forge, or
make, or wittingly, subtilly and falsly cause or assent to be made, and
forged, any false charter, deede, or wryting, to the intent that any per-
son or persons shall or may haue or claime any estate or interest for
terme of yeeres, of, in or to any manors, landes, tenements or heredita-
ments

ments not being cōpy holde, or any annuity in fee simple, fee talle, for terme of life, liues or yerres, or shal as is aforesaid forge, make or cause, or assent to be made or forged any obligation, or bil obligatorie, or any acquittance, release, or other discharge of any debt, accompt, accion, suite, demaund or other thing personall: Or shall pronounce, publish, or giue in euidence any such false or forged charter, deede, writing, obligation, bill obligatorie, acquittance, release or discharge, as true, knowing the same to be false, and forged, and shalbe thereof cōuict by any of the wayes or meanes aforesaid: Thē he shal pay to y^e party griued, his double costes and damages to be found and assessed in such court, where the said conuiction shalbe, and also shalbe set vpon the pillorie in some open market towne, or other open place, and there haue one of his eares cut off, and also shal suffer imprisonment by the space of one whole yere without baile or mainepriue. 5. El. 14.

Forging an obligation, acquittance, release.
Giuing in euidence a forged deede.

3 ¶ The party griued by reason of any the offences aforesaid shal and may at his pleasure, haue, and sue his acciō of forgery of false deedes, vpon this statute against any the offenders in the same, by originall writ out of the Chancerie, and haue like proces vpon the same, as in cases of trespass at the cōmon law, or may take his suite against any such offenders in any the premisses, by bil, in the kings bench, or in the Eschequer, wherin no E. J. D. &c. But if the defendant shal be conuicted for any the offences aforesaid, according to the order aboue limited, and shal haue receiued punishment corporall, according to this act, then he shal not eftsoones be impeached for the same offence, but though the plaintife in any such accion or bil to be sued, shal after verdict passed against the defendant release or discharge the iudgemēt or execution vpon the same, or otherwise suffer the same to be discontinued, yet the same release, discharge or discontinuance shal extend onely to discharge such costes and damages as y^e same plaintife should haue had against the defendant, and the Judges before whom y^e saide accion or suite shalbe taken, shal and may proceede to iudgement vpon the residue of the said penalties and forfeitures, and command execution vpon the same, the said discontinuance or other discharge notwithstanding. 5. El. 14.

General remedies for the party griued.

No person twice impeached of one offence.

The pt. release shal onely discharge his remedie.

4 ¶ If any person being conuicted of any of the offences aforesaid, by any the wayes or meanes aboue limited, shal after such his conuictiō eftsoones committe any of the said offences in forme aforesaid, & shalbe thereof conuicted or attainted, then euery such seconde offence shalbe adiudged felonie without benefite of Clergie or Sanctuaries: But there shalbe no corruption of blood, disheritance of the heire, or forfe. of dower by this felonie, Sauing to euery person (other then the

The punishment for the second offence.

Others rights saved.

the

Forestallers, Ingrossers, Regrators.

the said offenders, & such as claime to their vses) al such rights, titles, & other profites which any of them haue, at the time of such conuictiō or befoze, in or to any the lands &c. of any such person conuicted. And all and euery Iustices of Dier and determiner, and Iustices of Assise in their circuites, and euery of them shal haue authoritie in their open and generall Sessions to enquire of, heare and determine al and euery the offences aforesaid, committed or done within the limits of their Commission, and to make proccesse for y^e execution of the same, as they may doe against any person being indited befoze them of Trespas, or lawfully conuicted thereof. 5. El. 14.

These persons
are not charge-
able by this
statute.

5. ¶ But this act shall not charge any Ordinarie, or any of their Commissaries, Officials, Registers, or any other their Officers, for putting their seale of office to any wil exhibited vnto them, not knowing the same to be false or forged, or for writing of the said wil or probate of the same. Neither shal it be hurtful to any Proctor, Advocate, or Register of any Ecclesiasticall court within this Realme, for the writing, setting forth, or pleading of any Proxie made according to the Ecclesiasticall lawes, vsed and allowed by y^e Ecclesiasticall courts for the apparance of any person cited to appeare in any of the sayde Courts, nor to any Archdeacon or Officiall for putting their Autentique seale to the said Proxie, neither yet to any Judge Ecclesiastical, for admitting the same. Neither shall this Actte extende to any Atturney, Lawyer, or Counsaylor that shall for his Client pleade, shew forth, or giue in euidence, any false and forged deede, Charter, will, Court roule, or other writing, for true or good, being not partie and priuie to the forging of the same, for the pleading, shewing forth, or giuing in euidence of the same. Neither shall this Act extend to any person that shall pleade or shewe forth any deede or writing exemplified vnder the great seale, or the seale of any other Autentique court of this Realme, Nor shall extend to any Judge or Iustice, or other person that shall cause any seale of any Court to be set to any such deede, Charter, or writing inrouled, not knowing the same to be false or forged. 5. El. 14.

1 That a seruant taken with a forged testimoniall, shalbe whiped as a Vagabond. S. Laborers. 8.

2 For getting other mens goods by a counterfaite or forged token or letter. S. Counterf. 1.

Forestallers, Ingrossers, Regrators.

Who is a
Forestaller.

Whosoeuer doeth buy or cause to be bought any marchandise, vitaille or other thing comming by land or water toward any faire

faire or market, to be solde in the same, or comming toward any Citie, Port, Haven, Creeke or Rode of this Realme or Wales, from any part beyond the sea, to be solde, or make any bargaine, contract or promise, for the having or buying of the same, or any part thereof so comming, before the said marchandize, vitailles, or other thing shalbe in the market, faire, citie, port, haven, creeke or rode, ready to be solde, or shall make any motion by word, letter, message, or otherwise to any person for the enhaunsing of the price, or dearer selling of any of the things aboue mencioned, or els dissuade, moue, or stirre any person comming to the market or faire, to forbear to bring any of the things aboue mentioned, to any faire, market, citie &c. shalbe adiudged a fore-staller. 5. Ed. 6. 14. Anno. 34. Ed. 1. it was enacted, that no fore-staller should be suffered to dwell in a towne, for he is a manifest oppressor of the poore, a publike enemy of the countrey, and whole common wealch.

2 **¶** Whosoever shall regrate or get into his possession, in any faire or market, any corne, wine, fish, butter, cheese, candles, tallowe, Sheepe, Lambes, Calves, Swine, Pigges, Geese, Capons, Hēnes, Chickens, Pigeons, Conies or other dead vitaille whatsoever, that shalbe brought to any faire or market within this Realme or Wales to be solde, and doeth sell the same againe in any faire or market holdē in the same place, or in any other faire or market within iiii. miles thereof, shalbe reputed a Regrator. 5. Ed. 6. 14. Who is a Regrator.

3 **¶** Whosoever doeth ingrosse, or get into his hands by buying, contracting, or promise taking (other then by demise, graunt or lease of land or tithes) any corne growing in the fieldes, or any other corne, butter, cheese, fish, or other dead vitaille within England, to the intent to sel the same againe, shalbe taken an engrosser. 5. Ed. 6. 14. Who is an Engrosser.

4 **¶** Whosoever offendeth in any of the things before rehearsed, and being thereof duely convicted, or attainted by the lawes of this Realme, or after the forme ensuing, within two yerres next after such offence committed, shall for his first offence, suffer imprisonment by the space of two moneths without baile or mainprise, and forsaite the value of the goods, cattell and vitaille so by him bought or had: And being thereof once lawfully convicted or attainted, shall for his second offence, being thereof eftsoones lawfully convicted &c. suffer imprisonment by the space of halfe a yere, without baile or mainprise, and shall lose the double value of the goods &c. so bought or had, as is aforesaid, and being twice convicted of any of the saide offences, shall eftsoones offende the thirde time, and be therof convicted or attainted, he for his third offence shall be set on the Pillorie in the Citie, Punishment of the offenders.

tie, towne or place where he shall dwel, and shall forfeite al his goods and cattell, and shall be committed to prison, and there remaine during the Queenes pleasure. But he that is once punished for any offence, shall not be eftsoones troubled or punished for the same. 5. Ed. 6. 14. Who shall haue the forf. and how it shalbe leuied, S. Iustice of peace. 3. 11.

Vitailes brought from beyond the sea.

These persons for these causes may regrate or ingross.

5. But this statute shall not extend to any Wines, Oyles, Sugars, Spices, Currants, or other forreine vitailes brought from beyond the sea (Fish and Salt only except.) 13. El. 25.

6. It shall not be adiudged any offence contrary to this statute, to take any cattell, corne, butter, cheese, or any of the aboue rehearsed things reserved vpon any lease, for life, liues, or peres, Or to buy any barley, bigge or otes, the buyer whereof shall conuert the same in his house to mault or otemeale, Or for any Fishmonger, Butcher, or Pulter, for to buy any thing concerning their owne facultie which shal sel the same againe, vpon reasonable prices by retaile, or for any Inholder or vitailer, for the buying of wine, or other dead vitaille meete for mans sustenance, to sell the same againe by retayle, within his house, or to any of his neighbours, for their sustenance for reasonable prices, Or for the buying of any herring, dried or salted fish, or sprats, & sold for reasonable prices, Or for any of the Queenes Subiects dwelling within one mile of the maine sea, to buy any fish fresh or salted, & to sell the same againe at reasonable prices, Or for the buying of any corne, fish, butter or cheese by any badger, lader, kiddet, or carrier allowed by iiii. Iustices of peace, of that Countrey where &c. which shall sel the same againe in any faire or market, or to any vitailer, or to any other person for the prouision of his house, within one moneth after he bought them, Or for any common prouision made by any person of any of the foresaid thinges for any Citie, borough or towne corporate, or for the vitailing of any ship, castle or fort, Or for to buy and prouide vitailes necessary for the furniture and prouision of the inhabitants of the towne of Barwicke, Holley Island, or of the marches of England against Scotland, which shalbe transported and conueyed to such of the places aforesaid, as soone as winde & weather will serue, Or for a common & known drouer being licenced by iiii. Iustices of peace of the countie where he dwelleth, whereof one to be of the Quorum, to buy cattell in such counties where drouers haue bene wont to buy and to sell the same againe, at some markettes or faires being distant at the least forty miles from the place where he bought them, or for any person being licenced by iiii. Iustices of peace &c. to buy corne, graine or cattell, to bee caried by water from one

port or place within England or Wales unto another, if he doe shippe or imbarke the same within fourty dayes, after he hath bought or couenanted for the same, and with such expedition as weather wil serue to transport the same, & doe bring a certificat from a Iustice of peace of the countie, or Maior or Bailife of the towne corporate, and the Customer, where such unlading shalbe, testifying the same unto the Customer and Comptroller of the port where the same were imbarked, Or for euery person to buy, engrosse, and keepe in his house Corne, when wheate shalbe commonly at the price of vi. s. viii. d. the quarter, or vnder, mault & barley at iii. s. iii. d. otes or otes maulted at ii. s. pease or beanes at iiii. s. and rie or massline at v. s. the quarter of London measure, or vnder, so that none of all the foresaid corne, cattell, butter, cheese or other commodities be bought, couenanted &c. by forstalling. 5. Ed. 6. 14. 13. Cl. 25.

7 This statute, or any other statute, made against forstallers, regrators and ingrossers, shall not extend to any oyle, wine, sea fish unsalted, mud fish, and salt, as any buyer or buyers vpon the sea, by way of forstalling or regrating, shal & do bring in any English subiectes shippes, crayers or other vessels, and discharge in any porte or haven within this Realme. 5. Cl. 5. 27. Cl. 11. to continue til the ende of the next Parliament.

- 1 For regrating of butter and cheese. S. Butter. 1.
- 2 That no butcher shal regrade any fat cattel. S. Butchers. 1.
- 3 Who may buy cattell and sell them againe, and within what time. S. Cattell. 1.
- 4 That he which buyeth corne for change of his seede shall bring in as much to the market. S. Corne. 10.
- 5 Who may engrosse Tanned Lether & sell the same againe, and who not. S. Lether. 36.

Franchises and Liberties.

Every statute being in force made before 4. Februarii Anno 27. H. 8. against Sherifes, vnder Sherifes, Baylifes, or other ministers for making or returning of panelles or Iuries, or for due execution and seruing of any writte or proces, or for taking of fees, reformation of extortion, or for any other thing concerning their offices, and all paines and penalties conteyned in euery such statute, shall bee extended to all Stewardes, Baylifes, and other Ministers, and officers of liberties and franchises hauing returnes of writtes, and execution thereof, in like maner as they extend to Sherifes, vnder Sherifes &c. as if the said Baylifes, Stewardes &c. had beene parti-

Statutes provided for Sherifes, shal extend to Baylifes of liberties.

particularly named in such Statutes, Having that the saide Stewards, Baylives of franchises, their deputies or Clarkes may occupie their offices aboue one yeere, v^z. for so long time as they be giuen to them. 27. H. 8. 24.

Where the Q.
commeth, her
courts shalbe
kept within
franchises.

Clerke of the
market.

Amerciament
for insufficient
returnes by
baylives of li-
berties.

2 The Queenes Maiestie, her Stewarde, Marshal, Coroner, and all her ministers, shall and may keepe their courts for Justice, and execute their offices as shall apperteine to the according to the lawes, customes & statutes of this Realme, in al places within this Realme, aswell within liberties and franchises, as without, within the verge accustomed to her Court, where her highnes in her owne person shall come to rest or abide. And the Queenes Clerke of the market, & none other during the same time, aswel within liberties as without, shall exercise the office of the Clerke of the market, notwithstanding any priuiledge, graunt &c. But this statute shal not be preiudiciall to the liberties of the Citie of London. 32. H. 8. 20.

3 The americiaments for insufficient returnes of writtes or other proces made by stewards or baylives of liberties, hauing returne of writs and execution of the same, shalbe set vpon the heads of such stewards or baylives, not vpon the Sherifes. 27. H. 8. 24.

1 That the Queenes Purueior may take any vitailles within franchises. S. Purueiors. 23.

2 That no person hath franchise or authoritie to pardon felons, or appoint Iustices, but the Q. onely, S. Prerogatiue. 17.

3 That the Queene shal haue the fines & americiamets forfeited by Baylives and Stewards of Franchises, S. Prerogatiue. 20.

4 That Lords of liberties shall appoint two or three expert men to searh and seale lether, S. Lether. 25.

5 That the Queene may seise a franchise for default of pursuite or arresting of felons, S. Felonie. 34.

6 That the Lord of a franchise where goods be shewed in a faire or market, vpon dayes prohibited, shall haue the same goods, S. Faires. 2.

7 In whose name all writtes, Indictments & proces made within any libertie, & in whose name the Teste of the same shalbe awarded. S. Prerogatiue. 18.

8 For the executing and returning of writtes in franchises, S. Returnes. 3. 6. 7. 8.

9 What persons, and of what sufficiency shalbe returned by baylives of franchises to enquire of Riots, S. Riots. 13.

10 In what time Bailives of franchises shall array assises and deliuer the Copies, S. Assise. 8.

11 That

11 That the Sherife may not enter into any franchise to execute their precept, which be Commissioners, to enquire of the decay of Tillage. S. Sherifes. 24.

12 Where the Sherife shall make his precept to a Baylife of a Franchise, and where he himselfe shall deliuer cattell impounded. S. Sherifes. 30.

Fraudulent deedes, Giftes &c.

All and euery feoffement, gift, graunt, bargaine, alienation and conueyance of lands, tenements, hereditaments, goods, cattels, or of any lease, rent, common, or other profite or charge out of y^e same lands, hereditaments, goods &c. or any of them by wytyng or otherwise, and all and euery bonde, suite, iudgement, and execution at any time had or made, sithence the beginning of our Soueraigne Ladie Q. Elizabeths reigne, or at any time hereafter to bee had or made, which haue bene, and are deuised, & contriued of malice, fraude, couin, collusion, or guile, to the intent &c. to delay, hinder, or defraude Creditors, and others of their iust & lawfull accions, suites, debtes, accōpts, damages, penalties, forsaitures, hariots, mortuaries or reliefses, shalbe taken and deemed onely against that person, his heires, executors, successors or assignes, whose accions, suites, debtes, accompts, &c. by such guilefull or fraudulent deedes, deuises, practises, are, shall or mought be in any wise hindered, delayed, or defrauded, to be cleerely voyde and of none effect, any colour, sayned consideration, expelling of vse, or other matter to the contrary notwithstanding: But this statute shall not extend to any estate in landes, leases, goods &c. assured vpon good consideration, and Bona fide to any person or persons, bodies politike or corporate, not hauing at the time of such conueyance &c. any knowledge of such fraude, collusion &c. 1.R.2.9.2.R.2.3.13. Cl.5.14. Cl.11.27. Cl.11.

Fraudulent deedes to a void other mens duties, be voyde.

2 **A**ll the parties to such fained or fraudulent feoffement, gift, graunt, alienation, bargaine, conueyance, bond, suit, iudgement, execution &c. or being priuie or knowing of the same, which shall wittingly & willingly put in vze, auowe, maintaine, iustifie, or defende the same, or any of them, as true, simple, and done or made Bona fide, and vpon good consideration, or shall alien, or assigne any y^e lands, tenements, goods, leases &c. to them conueyed, or any part thereof, shall forsaite to the Q. &c. & the p. griued by such fraudulent feoffement, gift, bonde, suite &c. one yerres value of the said lāds &c. leases, rents, or other profits, and the whole value of the said goods and cattels, and so much

Parties to fraudulent deedes.

Fraudulent deedes, Giftes &c.

money as shalbe contained in such couenous and fayned bond, to bee recovered by A. J. &c. wherin no W. &c. P. &c. And being thereof lawfully conuicted, shall suffer imprisonment one halfe yere, without bayle or mainepprise. 13. El. 5. 14. El. 11. 27. El. 11.

Common recoveries,

3 ¶ But common recoveries had against tenant in taylor or other tenant of the free hold of lands, the reuerſion or remainder, or right of reuerſion or remainder whereof then shall be in any other person, shall as touching such person, and his heires which hath the reuerſion or remainder, be of like force, and none other, as the same should haue bene if this Acte had not bene made, and no estate or conueyance, by reason whereof any person shall vse any voucher in any writte of Formedon, shall be made voyde by this Acte: But euery such Voucher in any writte of Formedon, shall be of like force, as if this Act had not bene made. 13. El. 5. 14. El. 11. 27. El. 11. to continue vntill the end of the next Parliament now next insuing.

Voucher in formedon.

Fraudulent conueyances to defraude purchasers.

4 ¶ All and euery conueyance, graunt, charge, lease, estate, incumbrance and limitation of vse or vles, of, in, or out of any landes, tenements, or other hereditaments whatsoever, had or made at any time heretofore, ſithence the beginning of the Queenes Maiesties reigne that now is, or at any time hereafter to be had or made, for the intenc and purpose to defraude and deceiue such person or persons, bodies politique or corporate, as haue purchased, or shall afterwarde purchase in fee simple, fee taile, for life, liues, or yeres, the same landes, tenements and hereditaments, or any part or parcell thereof, so formerly conueyed, graunted, leased, charged, incumbered or limited, in vse, or to defraude and deceiue such as haue or shall purchase any rent, profite or commoditie, in, or out of the same, or any part thereof, shall be deemed and taken only as against that person or persons, bodies politique and corporate, his and their heires, successors, executors, administrators and assignes, and against all and euery other person and persons lawfully hauing or clayming by, from or vnder them, or any of them, which haue purchased, or shall hereafter so purchase for money, or other good consideration the same landes, tenements or hereditaments, or any part or parcell thereof, or any rent, profite or commoditie in or out of the same, to be utterly voyde, frustrate, and of none effect: Any pretence, colour, fayned consideration, or expressing of any vse or vles to the contrary notwithstanding. 27. El. 4.

Parties to fraudulent conueyances, which doe as now & same.

5 ¶ All and euery the parties to such fayned, couenous, & fraudulent gifts, graunts, leases, charges or conueyances before expressed, or being priuie & knowing of the same, or any of them, which shall wittingly put in vse, auowe, mainteine, iustifie or defend the same, or any

any of them, as true, simple, and done, had or made bona fide, or vpon good consideration, to the disturbance or hinderance of the said purchaser or purchasers, leasees, or grauntees, or of or to the disturbance or hinderance of their heires, successours, executors, administrators or assignes, or such as haue or shall lawfully claime any thing by, from or vnder them or any of them, shall incurre the penaltie and forfaiture of one yerres value of the said landes and hereditaments so purchased or charged. The one moitie whereof to be to the Queenes Maicstie, her heires and successours, and the other moitie to the partie or parties grieved by such fayned and fraudulent gift, graunt, lease, conueyance, incumbrance, or limitation of vse, to be recouered in any of the Queenes courtes of recoorde by A. of debt, B. P. or T. wherein no C. P. or W. &c. and also being thereof lawfully conuicted, shal suffer imprisonment for one halfe yeere without baile or mainprie. 27.

Eliz. 4.

6 ¶ This act, or any thing therein conteyned, shall not extend or be construed to impeach, defeate, make voyde or frustrate any conueyance, assignement of lease, assurance, graunt, charge, lease, estate, interest or limitation of vse or vles, of, in, to, or out of any landes, tenements or hereditaments heretofore at any time had or made, or hereafter to be had or made vpon or for good consideration and bona fide, to any person or persons, bodie politique or corporate, Any thing before mentioned to the contrary hercof notwithstanding. 27. El. 4.

Conueyances made vpon good considerations and bona fide.

7 ¶ If any person or persons haue heretofore, sithence the beginning of the Queenes Maiesties raigne that now is, made, or hereafter shal make any conueyance, gifte, graunt, demise, charge, limitation of vse or vles, or assurance of, in, or out of any landes, tenements or hereditaments, with any clause, prouision, article, or condition of reuocation, determination, or alteration at his or their will or pleasure of such conueyance, assurance, graunts, limitations of vles or estates, of, in, or out of the saide landes, tenementes or hereditamentes, or of, in, or out of any part or parcel of them, conteyned or mentioned in any writing, deede, or indenture of such assurance, conueyance, graunt or gift, and after such conueyance, graunt, gift, demise, charge, limitation of vles or assurance, so made or had, shall or doe bargain, sell, demise, graunt, conuey, or charge the same landes, tenements or hereditaments, or any part or parcell thereof, to any person or persons, bodie politique or corporate, for money or other good consideration payde or giuen, the said first conueiance, assurance, gift, graunt, demise, charge or limitation not by him or them reuoked, made voyde, or altered, according to the power and authoritie

Conueyances with condition of reuocation or alteration.

Fraudulent deedes.

reſerued, or expreſſed vnto him or them, in and by the ſaid ſecrete conueyance, aſſurance, gift or graunt: Then the ſaid former conueyance, aſſurance, gift, demife, and graunt as touching the ſaid landes, tenements and hereditaments ſo after bargayned, ſold, conueyed, demifed or charged againſt the ſaid bargainees, vendees, leaſſees, grauntees and euery of them, their heires, ſucceſſors, executors, administrators and aſſignes, and againſt all and euery perſon and perſons which haue, ſhall or may lawfully clayme any thing, by, from, or vnder them or any of them, ſhall be deemed, taken, and adiudged to be void, fruſtrate, and of none effect by vertue and force of this preſent Acte.

27. El. 4.

Mortgages.

8 ¶ Provided neuertheleſſe, that no lawfull mortgage, made or to be made bona fide, and without fraude or couin vpon good conſideration, ſhalbe impeached or impayred by force of this Acte, but ſhall ſtande in the like force and effect, as the ſame ſhould haue done, if this acte had neuer bene had or made: Any thing in this Acte to the contrary, in any wiſe notwithstanding. 27. El. 4.

Aſſurances of landes defeated and the partie in poſſeſſion befoze the ſtatute.

9 ¶ This Act nor any thing therein conteyned, ſhall extende or bee conſtrued to make good any purchaſe, graunt, leaſe, charge or profite of, in, or out of any landes, tenements or hereditaments heretofore made voyde, defeated or vndone by reaſon of any former conueyance, graunt, or aſſurance, ſo as the partie or parties, or their heires or aſſignes, which haue ſo defeated or made voyde the ſame, were in actuall poſſeſſion the firſt day of this preſent Parliament, of, or in the ſaid landes, tenements or hereditaments, whereof, or out of which any ſuch purchaſe, graunt, leaſe, charge, or profite was made. 27. El. 4.

Authoritie of the Starre chamber.

10 ¶ This Acte, or any thing therein conteyned, ſhall not extende in any ſorte, to reſtrayne or impayre the iuriſdiction, power or authoritie of the Court of Starre chamber. 27. El. 4. This Acte to continue for the ſpace of tenne yeeres, and from thencefoorth vnto the ende of the Parliament then next following.

1 For fraudulent deedes made by an Eccleſiaſticall perſon, to defeat his Succeſſors of their remedie for dilapidations. S. Dilapidations. 1.

2 That fraudulent conueyances made by Fugitiues ſhalbe void againſt the Queene. S. Fugitiues. 4.

3 For fraudulent conueyances to defeat the Lord of his warde, mariage or reliefe. S. Wardes. 1. 2. 24.

4 For fraudulent conueyances made of any Abbey, Chauntrie, Colledge

Colledge, or free Chappel lands, S. Monasteries. 4. 9. 26.

5 For Collaterall and fraudulent assurances made of lands to the use of any Church, Chappell &c. S. Mortmaine, 8.

6 For fraudulent conueyance to defeat the Queene or any other of any benefite that may arise vnto them by the stat. of 23. El. 1. S. Sacraments, 15.

7 That Statutes marchant and of the Staple shalbe entred of record to detect fraud in them if any be intended, S. Statutes. 15. 16.

Freeholde.

Whosoeuer doeth constrain any person to appeare before the Councel of a Lord, lady, or any other, to answer for his freeholde, or any thing touching his freeholde, or for any other thing reall or personall, which belongeth to the law of the Realme in any maner, shall forfeite to the Queene xx. li. 15. R. 2. 12. 16. R. 2. 2. No man shal distraine his freeholder, to answer for his freeholde or any thing thereunto belonging, without the Queenes writte, nor shall cause his freeholder to sweare against his wil, for that no man can do without the Queenes commandement. 52. H. 3. 22.

Fuell

All Tallow, Billet, Fagot, and Coles to be made or put to sale within the Cities of London and Westminster, or in the suburbs of the same, shall keepe the assises following, viz. every sacke of coles shall containe iiii. bushels of good and cleane coles. And euery Tallow shall containe in length iiii. foote beside the carse. And euery Tallow named of one, to containe in greatnesse within a foote of the middest xvi. ynches about. And euery Tallow named of ii. to containe in greatnesse within a foote of the middest xxi. ynches about. And euery Tallow named of iii. to containe in greatnesse within a foote of the middest xxviii. ynches about. And euery Tallow named of iiii. to containe in greatnesse within a foote of the middest xxxiii. ynches about. And euery Tallow named of v. to containe in greatnesse within a foote of the middest xxxviii. ynches about. And euery Billet to containe in length iii. foote and foure ynches. And euery Billet named a single, to containe vii. ynches di. about. And euery Billet named to be a cast, to containe x. ynches about. And euery Billet named of ii. cast, to containe xiiii. ynches about. And euery Fagot beede to containe in length iii. foote, and the bonde of euery such fagot, to be

The assise of
Fuell.

Fugitiues ouer the Sea.

of xxiiii. ynches about besides the knot. And it shalbe lawfull for e-
ry owner, without daunger of any forfeiture, to make Billets of
two castes. And all Billets of two castes to be made and put to sale,
shalbe of the assise herein conteyned or more, and shalbe marked onc-
ly within vi. ynches of the middest thereof. And euery Billet of one
cast to be made and put to sale, shalbe onely marked within iiii. ynches
of the end thereof, vpon paine that euery maker and euery seller that
shall make any such fuel or coles, and put the same to sale, to forfeite
for euery shidde of Calwood, Billet, Fagot, or sacke of Coles put to
sale, lacking of the assise aforesaid, iii. s. ii. d. to the Queene and In-
fourmer, to be recovered by Accion, B. P. J. wherein no W. C. P.
7. Ed. 6. 7.

None shal buy
fuel, but such
as wil burne
or retaille the
same.

2 ¶ No person or persons shall buy any fuel, Coles or wood, but
onely such as will burne or consume the same, or such persons as shall
sell the same againe by retaile, to such as shall burne or consume the
same for their owne occupying without fraud or couin, or Wharfing-
gers or Bargemen, vpon paine to forfe. to the Q. and J. treble value of
al such wood, coles and fuel, as shalbe otherwise bought for any lucre
again, to be recovered by A. B. P. J. wherein no W. C. P. And no
person or persons shal alter any marke or assise of any of the said fuel,
marked or sised according to this statute, vpon paine of like forfeiture
as is abouesaid. 7. Ed. 6. 7.

Altering the
marke or assise
of fuel.

The forfe. and
penalty.

3 ¶ No person or persons shal yelde, ne forfeite any penalty here-
in conteyned, vntill Accion or suite be commenced for the same, with-
in one whole yeere next after the offence thereof committed. And if
any cutter or maker as aforesaid, or other that shal forfeite any summe
herein conteyned, shal not be able to peeble such forfeiture or summe
as is aforesaid, then such person thereof conuicted by witnesses or o-
therwise, to be set on a pillorie in the next market towne to the place
where he shall so offend, by a Justice of peace, or any other of the
Queenes officers, at xi. of the clocke vpon the Market daye, with a
billet or fagot bounden to some part of his body, and so to be dischar-
ged of the said forfeiture. 7. Ed. 6. 7.

What woods shall not be conuerted to fuel for the making of I-
ron, S. Iron.

Fugitiues ouer the Sea.

Departing the
realm without
the Queenes
licence.

W^hosoener passeth out of the Realme without the Queenes
licence, (except Lords & great men of the Realme, and true
and notable marchants, and the Queenes Souldiers) shall forfeite to
the

the Queene all his goods. And the master or mariner of the Shippe, or of the vessell in which hee shall carrie beyonde the Sea any person, (but onely such as be before excepted,) without the Queenes licence, and is thereof conuicted, shall forfait to the Queene his sayd vessell. And if the Searcher or Warden of any port or passage doe through negligence, or in other manner suffer wittingly any person to passe forth of the Realme (other then is before excepted) or any gold or siluer in money, bullion, plate, or vessel to be caried forth of the Realme, and is thereof conuict, hee shall forfait to the Queene his office, and all his goods, and be imprisoned a whole yere. 9. Ed. 3. 10. 5. R. 2. 2. See there, that no licence ought to be made to passe forth of the Realme, but onely in one of the Portes of London, Sandwich, Dover, Southhampton, Plimmouth, Dertmouth, Bristowe, S. Botelph, Kingstone vpon Hull, Newe castell vpon Tine, and the other portes and passages towards Ireland, and the Isles pertayning to the Realme of England.

Out of what port ech man ought to passe forth of this Realme.

2 ¶ If any subiect borne within the Queenes Dominions, or free denizen of this Realme, hath sithence the first day of the Queenes raigne passed, or hereafter during the life of our soueraigne Lady Queene Elizabeth shall passe out of any her graces Dominions at any place whatsoeuer, into any Countrey of any foraine Prince or gouernour, without the Queenes speciall licence, by writing vnder the great Seale, priue Seale or priue Signet, and doeth not returne into the Realme of England, and there yeelde his bodie to the custodie and warde of the Shirife of the Countie where hee shall arrive, or to some of the Queenes priue Counsaile, within sixe Moneths next after Proclamation made by the Queenes Maiestie vnder her great Seale, for the returne of his body, hee shall forfait to the Queene the whole profittes of all his landes and hereditamentes during his life, whereof he is seised of any estate of freeholde or inheritance in his owne right or his wiues, and also all his goods and catels, And all the Ecclesiasticall promotions of euery spirituall person so offending shall be utterly voyde, and the Patron may present to the same as though the Incumbent were dead &c. But this Act shall not extend to any known Marchant of Englande, Irelande, or the Dominions of the same, or to any of their knowne scruaunts, apprentices, or factors, or to any known masters of ships, mariners, Saylers or Gunners, concerning their departure out of the same without licence, into any foraine dominion, for their onely trade of merchandise, so that such marchant, seruant, mariner &c. shall not or haue not attempted any thing contrary to the duetie of his allegiance, or

Departing the Realme, and not returning vpon warning

Spiritual persons.

Fugitiues ouer the sea.

to the preiudice or perill of the Queene, or the state of any of her dominions, and shal yeeld his body vpon Proclamation for his returne. 13. Elz. 3.

Forf. for not returning, his licence being expired.

3 **I**f like forfaiture shall he make which at any time sithence the first day of y^e Queenes raigne hath departed, or during y^e Queenes life shall depart out of any of her graces dominions by her licence into any forreine countrey, and doth not returne and yeeld his body as is aforesaide, within vi. Moneths next after the expiring of the time appointed by such licence, if he shalbe at his own liberty and not restrained, or not licenced for a further terme. 13. El. 3. And in both these cases during the time that the Queene shall haue the profits of the sayd fugitiues lands &c. she may let, set, and make graunts by Copp of Court rolle, vsuall woodsales, and other things to all intents and purposes, as a tenant Pur terme clauter vie lawfully may do. 14. El. 6. But if any offender that hath forfaited the profite of his lands will repent him of his offence, returne againe into England, yeeld himselfe to the Sherife of the Shire, or to any one of the Queenes priue Counsell, acknowledging his fault, submitting himselfe to the Queenes obedience, and fully reconcile himselfe to true religion established within this Realme, declaring his reconciliation to the Bishop of the Dioces, and shewing the same openly by comming to diuine seruice appoynted, and receiuing the holy communion, then after one yeere expired, he bringing to the Lord Chauncelour or keeper, a certificate from the Bishop of the Dioces, and the Curate of his Parish, of his vnfained reconciliation, shalbe restored to all his landes, and the profits thereof from thenceforth to be due. 13. El. 3.

In what sort the Queene may vse fugitiues lands.

Restitution vpon submission.

Fraudulent gifts made by fugitiues, be void against the Queene.

4 **I**f any of the foresaid fugitiues do by couin and fraud, make, cause, or suffer to bee made any conueyance &c. of his lands &c. or any gift, graunt or other deuise of his goods and cattels, to the intent and vpon priue confidence, that the profits thereof may bee employed in such forme, and to such vses as he shall appoynt, and that be found by office to be couin &c. the sayd conueyances, gifts and deuises shall bee (as touching the Queenes interest and against her grace) utterly voyd. And she shall haue the said landes, goods, &c. as if the Offendor were thereof actually seised or possessed, Sauing to all other persons their heires, assignes and successors (other then to the sayd fugitiues and their assignes) all such right, title, interest, commoditie &c. as any of them shall haue in the said landes before the departing or not returning of such person. 13. El. 3.

The graantee of fugitiues lands shal by request declare the consideration.

5 **I**f any person to whome any estate, graunt, lease, or other conueyance is, or shalbe made by any fugitiue, of any landes, goods, &c.

¶ c. doe not within iiii. moneths next after Proclamation made in the Queenes name, vnder the great Seale in any Countrey where the same lands &c. doe lie, truly declare vpon his othe, either before the Queenes Commissioners for that cause authorised, or before the Barons of the Elchequer, or some of them, to what vse and intent such estates, graunts, and conueyances were made, according to the trueth without concealement, he shall forfeite to the Queene xx. li. and also be imprisoned during her pleasure. And if any person being sent for to bee examined by the Barons of the Elchequer, or by Commissioners authorised vnder the great seale, to inquire of fugitiues lands and goods, shall not appeare at the day and place to him appointed, hauing no lawfull excuse to the contrary, or after apparance shall depart without licence of such as haue power to examine him, or shall refuse to answer to such interrogatozies as shall be ministred vnto him, touching fugitiues landes, or goodes, and the circumstances and dependaunts of the same, then he shall pay vnto the Queene such fine for the said contempt, as shall be assessed by such before whome the said examination should be made 13. El. 3.

6 ¶ If any person by reason of his conscience departeth out of the Realme without licence, or hauing licence, tarieth after the time appointed by Proclamation be expired, and did not before nor after his departure, conspire, and by open Acte declare any euill minde to the Queene, her estate or quiet gouernement: Then the Lorde Chaunceloz or Keeper, vpon petition made, shall appoint for the maintenance of his wife and children or any of them a reasonable portion of his landes, not vnder the 4. part, nor aboue the third, of the landes forfe. to the Queen by this act, during the life & absence of the fugitiue, so that the said Fugitiue did not make sufficient conueyance & prouision for the before, by the iudgment of y^e Lord Chancellor or keeper. 13. El. 3.

*Prouision for
a Fugitiues
wife and child-
ren.*

7 ¶ If any noble man being a peere of this Realme, doe depart the Realme, whose departure shall not bee contrary to the lawes and statutes of this Realme, then hee shall not incurre any paynes or forfeiture prouided by this act, vnlesse he be commanded by the Queenes letters, vnder her priuie Seale or signet to returne, And after such warning doe not repaire into this Realme, according to the tenour of the same letters within viii. Moneths after the deliuerie of such letters vnto him, or if such letters shall not bee deliuered vnto him, so as he may well returne within viii. Moneths after the sending thereof, then vnlesse he do returne within other viii. Moneths next after Proclamation made, as is aboue appointed. And if any such Noble man, which shall so depart out of this Realme, and which doeth not before his

*Noble m^e de-
parting the
Realme.*

Fustians, Gold, Silver, & Goldsmithes.

his departure nor after, practise or devise any thing against the Royall person of the Queene, or the quiet estate of any her Dominions, doe returne into this realme, and yeeld himselfe to ii. of the Queenes priuie Counsell, acknowledging his offence, then hee shall bee from thenceforth restored to all the rentes and profites of all his landes and hereditaments, which from thenceforth should growe due vnto the Queene by reason of this act, and then the Queenes title to the profits of his lands by vertue onely of this Act, shall cease. 13. El. 3.

1 That an English man sworne subiect to a forraine Prince, shall pay all impositions as a stranger. S. Custome. &c. 12.

2 That none shall depart for any Conuocation or assembly for religion beyond the sea, S. Conuocation. 3.

Fustians.

Vntrue
fleights vnto
vpon Fustians.

Who soeuer doeth vse Irons on Fustians vnshorne, wherewith to breake off the nappe and cotton of the same, or any instruments, or other vntrue subtil meanes, or sleight, vpon any Fustian within this Realme, but onely the broad sheares, shall forfeite for euery default xx. s. to the Queene and Informer, to bee recovered by A. J. &c. wherein no W. &c. E. P. &c. The Maior and Wardens of Sheremen of London, may enter and search the workmanship of all persons occupying the broad Shere, as well Fustians, as cloth. 11. H. 7. 27.

Gold, Silver, and Goldsmithes.

Marrying of
Gold and Sil-
uer, and selling
the same.

If any Finour of Gold and Silver, or partor of the same by fire or water, doeth alay any fine Silver or Gold, or doth sell the same in any other wise, or to any other person, but onely to officers of Mints, Changes, and Goldsmithes within this Realme, for augmentation, and amending of Coyne and Plate, (the sayde Officers and Goldsmithes answering for the same as it is worth,) Or if any finour or partor doeth sell to any person whatsoever, any maner of Silver in masse moulded and alayed, or if any finour of silver doeth not put his seuerall marke vpon his fine Silver, he so offending shall forfeite the same Golde or Silver or the value thereof to the Queene, and him that proueth the same. All fine silver which is parted and fined, must be made so fine that it may beare xii. d. weight of alay, and yet it will bee as good as starling. 4. H. 7. 2.

The finelle of
Silver.

Marrying of a
laying of Silver

2 **I**f any Goldsmith melt or alay any fine Silver, to bee for any workes or other intent, but onely for making of Amels for diuers workes of Goldsmithie, and for amending of Plate to make it as good as starling or better, hee shall forfeit the same silver or the value thereof

thereof to the Queene and him that proueth the same. 4. H. 7. 2.

3 ¶ If any Goldsmith, Jeweller, or other that worketh harneis of Siluer within the Citie of London, doeth set any of them to sale within the same Citie before it be touched with the Touch, and also signed with the workemans marke, known to the wardens of the same misterie, or doeth sell any workmanship of siluer without it be as fine as the starling, (except it need Sowder, which shal be allowed according as the same is necessarie to be wrought) he shall forfeite the double value thereof. 2. H. 6. 4.

Harneis of siluer shalbe touched and marked.

4 ¶ If the keeper of the Touch, doeth touch any harneis of siluer with the Leopards head, which is not as fine in alay as the starling, he shall forfeit the double value of the siluer so touched. 2. H. 6. 14.

Harneis as fine as the starling.

5 ¶ If any Goldsmith, worker of siluer, or keeper of touches in the Cities of Yorke, Newe Castell vpon Tyne, Lincolne, Norwich, Bristowe, Salisburie or Couentry (which haue diuers touches) doe set to sale, or touch any siluer in other maner then is before ordeyned for London, the offender shall forfeite double the value &c. 2. H. 6. 14.

6 ¶ If any Goldsmith, or other worker of Siluer within the Realme of Englande, where no touch is ordeyned, doeth worke any siluer, except it be as fine in alay as the starling, hee shall forfeite the double value thereof. And euery such Goldsmith or worker of Siluer, must set his signe or marke vpon the same, before he put it to sale. 2. H. 6. 14.

Working of siluer not so fine as the starling.

7 ¶ Whosoever gildeth any sheathes or mettall but siluer, and the ornaments of the Church, or layeth any siluer vpon any mettall, but onely vpon Knights spurres, and the apparell which belongeth to a Baron, or one aboue the estate of a Baron, shall forfeite to the Queene tenne times so much as the thing gilt is of value, and shall also be one yere imprisoned. 8. H. 5. 3. But artificers may worke ornaments of the Church of Copper and Latten, and Gild or Siluer the same, so that in the foote or other part, the Copper and Latten bee plaine, that a man may see whereof it is made. 5. H. 4. 13. And whosoever doeth gild any Siluer ware other then of the alay of the English starling, shall forfeit to the Queene the value thereof. 2. H. 5. 4.

Gilding.

8 ¶ No Goldsmith making white vessell, shall meddle with gilding, nor any vsing gilding shall make any white vessell, vpon paine of forfeit. of the value of the vessell so made or gilt. 37. Ed. 3. 7.

None shall make both white vessell and gild.

9 ¶ If any Goldsmith doeth suffer any vessell of Gold or Siluer to depart from him before it bee assayed by the wardens of the same Misterie, and touched with the Leopards head, or doeth set any stone

Vessel of siluer and gold shall be assayed and touched.

Gunnes and Crossebowes.

in golde, except it bee naturall, he shall be imprisoned and make fine at the Queenes pleasure. 28. Ed. 1. 20.

The finesse of
Goldsmithes
wares of gold.

¶ ii. d. an ounce
for gold besides
the fashion.

The finesse of
goldsmithes
wares in sil-
uer.

The goldsmith
shall set his
marke to his
worke.

Wardens als-
lowing faultie
wares.

10 **N**o Goldsmith shall worke, sell, exchange, or cause to bee wrought, sold, or exchanged any Plate or other Goldsmithes wares of Gold, lesse in finesse then that of xii. Carottes, & shall vse no So-ther, Amell, nor other stuffings whatsoever in any of their workes more then is necessarie for the finishing of the same, nor shall take a- boue the rate of xii. d. for the ounce of Golde (besides the fashion) more then the Buyer shall or may bee allowed for the same at the Queenes Exchange or Mint, vpon paine to forfait the value of the thing so sold or exchanged, to the Queene and partie grieved, to be recovered by A. J. &c. wherein no W. &c. E. P. &c. 18. El. 14.

11 **N**o Goldsmith shall make, sell, or exchange in any place within this Realme any plate, or Goldsmiths wares of Siluer, lesse in finesse then that of a xi. ounces two pennie waight, nor take aboue the rate of xii. d. for euery pounce waight of Plate or wares of Siluer (beside the fashion) more then the Buyer shall or may be al- lowed for the same at the Queenes exchange or Mint. Nor shall put to sale, exchange, or sell any Plate or Goldsmithes worke of Siluer, before he hath set his owne Marke to so much thereof, as conuenient- ly may beare the same, vpon paine to forfait the value of the thing so sold, or exchanged, to the Queene and partie grieved, to bee recou- red by A. J. &c. wherein no W. &c. E. P. &c. 18. El. 14.

12 **I**f any Goldsmith shall make any Goldsmithes worke or Plate, & the same shalbe touched, marked and allowed for good by the Wardens or Masters of that mysterie, and in the same there shall bee found any falsehood or deceipt, then the Wardens and Corpora- tion of that mysterie for the time being, shall forfait and pay the value of the thing so exchanged or sold, to the Queene and partie grieved, to bee recovered by A. J. &c. wherein no Wager, &c. E. P. &c. 18. El. 14.

1 That there shalbe no more giuen for coyned Golde or Siluer, then it is currant by Proclamation. S. Money. 1.

2 That Gold or siluer may not be deliuered to any Alien, S. Mo- ney. 2.

3 That no man shall transport Gold or Siluer. S. Money. 3.

4 Who may weare any Ornament of Golde, and who not, S. Apparell. 4. 5.

Gunnes and Crossebowes.

Keeping or
shooting in
gunnes.

If any person do shoote in any Crossebow, Handgunne, Hagbut, or Demihake, or keepe any of them in his house, or else where, except hee

hee or some other person to his vse, hath in his owne or in his wiues right, landes, tenements, fees, annuities, or Offices to the peerely value of £.li. he shal forfe. for every offence x.li. to the Q. & J. to bee recovered by A. J. & c. wherein no W. & c. E. P. & c. 33. W. 8. 6.

2 Every person which shall shoote in, carry, keepe, vse, or haue in his house, or else where, any handgun, other then such as shall bee in the stocke and gunne of the length of one whole yerde, or any hagbut or demihake, other then such as shall be in the stocke and gunne of the length of iii. quarters of a yarde, shall forfeite for every offence x.li. to the Q. and J. & c. And every person hauing landes, fees, annuities, or offices to the peerely value of £.li. may seise and take every such handgunne, hagbut, and demyhake, being of shorter length, then is before limited, from the Offendor, and also every Crossebowe from any person not hauing landes, offices & c. to the value of £.li. by pere, and retaine the same to his owne vse, which handgunne, hagbut and demyhake, he which seiseth them, must breake within twentie dayes after seisure, or else he shall forfeite for every of them xl.s. to the Q. & J. & c. to bee recovered by A. J. & c. wherein no W. & c. E. P. & c. 33. W. 8. 6.

The length of a handgunne, hagbut, demyhake.

Who may take the gunne or Crossebowe from the offender.

3 Whosoever shall carry or haue in his iourney on foote or horsebacke any Crossebowe bent, or gunne charged, or furnished with powder, fire, or touch for the same, except it be in time and seruise of warre, other then such as haue landes, annuities, fees, or offices, to the peerely value of £.li. shal forfeite for every offence tenne pound to the Q. and J. & c. to bee recovered by A. J. & c. wherein no W. & c. E. P. & c. 33. W. 8. 6.

Carrying a Crossebowe bent or gunne charged.

4 He that doth shoote with a handgunne, demyhake, or hagbut, at any thing at large, within a Citie, Borough, or Market Towne, or within a quarter of a mile of either of them, except it bee at a butte or banke of earth in a place conuenient, or for the defence of his person or house, shall forfeite for every shoote tenne pounce, to the Queene and J. & c. 33. W. 8. 6. And if any person vnder the degree of a Lord of the Parliament doeth shoote in a Handgunne in a Citie or Towne, at any marke vpon a Church, house, or douerote, hee shall forfeite for every offence tenne pounce, and be imprisoned thre Moneths. 2. Ed. 6. 14.

Shooting in a citie or market town at a thing at large.

5 Whosoever doeth commaund any of his seruants to shoote in a Crossebowe, handgunne, hagbut, or demyhake, of the masters or other persons, at any Deare, Fowle, or other thing, except it bee at a Butte, or banke of earth, or in time of warre, shall forfeite for every offence tenne pounce to the Queene and Informer, to bee recovered by

The master commanding his servant to shoote.

by A. J. &c. wherein no W. &c. E. &c. But if the Queene doe not commence her suite within one yeere, and euery other person within halfe a yeere next after the offences committed, for any penalty or forfeiture to any of them giuen by this statute, they shall bee excluded of their accions and suites, and the offender clearly discharged. 33. H. 8. 6.

Euery man
may arrest an
offendour.

6 ¶ It is lawfull for euery person to arrest, or attach any person, which hee seeth or findeth offending contrary to the effect of this act, and to bring him to the next Justice of peace in the same countie, which Justice vpon due examination and prooffe, may commit the offender to the next gaole, there to remaine vntill he hath payed such penaltie, as he hath forf. by this statute, of which penaltie the Queene shall haue the one halfe, and the sayd bringer the other. 33. H. 8. 6. See Iustices of peace. 44.

Who may
keepe or shoote
in gunnes.

7 ¶ But it is lawfull for all gentlemen, yeomen, and seruing men of euery Lord, and of all Knights, Esquiers, and Gentlemen, and to all the Inhabitanes of Cities, Boroughes and Market Townes of this Realme of England, to shoote with any Handgunne, Demyhake or Hagbut, at any But or banke of earth, onely in place conuenient for the same, so that euery of them bee of the seuerall lengthes aforesaide and not vnder. And it is lawfull to euery Lord, Knight, Esquire and Gentleman, and the inhabitants of Euery Citie, Borough, and market Towne, to haue and keepe in euery of their houses any handgunne, of the length of one whole yerde, or any hagbut or demyhake of the length of thre quarters of the yarde, and not vnder, to the intent to shoote with the same at a Banke of earth, or But onely. And euery person which dwelleth in any house, being distant two furlongs from any Citie, Borough, or towne, may keepe in his house for the onely defence of the same, Handgunnes, Hagbuts, and Demihakes of the seuerall lengthes aforesaide, and not vnder, and may vse to shoote in the same, at any Butte or Banke of earth, neere to his house and not otherwise. And euery person appoynted by the Q. to keepe or receiue any Crossebowes, or Handgunnes forfeited, or taken within the precinct of her Forrestes, Parkes or Chases, may lawfully retayne the same vntill her further pleasure bee to him declared. And the makers of Crossebowes, and Handgunnes may lawfully keepe Crossebowes, Handgunnes, Hagbuts, and Demihakes, in their houses, and shoote in the same onely for assaying of them at a Butte or Banke of earth in place conuenient, and not otherwise, so that the same bee of the seuerall lengthes aboue limited. And it shall bee lawfull to such persons and their seruants which bee charged by
the

the statute of 4. and 5. P. and M. to finde any Hagbut, to shoote at such lawfull markes as bee herein specified, or at their owne proper games, so that they cary not, or vse not the same hacquebut in any high way, except it be comming or going to or from the musters, or marching towardes, or from the defence of the Realme. 33. Hen. 8. 6. 4. and 5. P. & M. 2.

8 This act shall not extende, or bee preiudiciall to any marchants hauing any Crossebowes, handgunnes, hagbuttes or demyhakes to sell, and to none other vse, so that the same be of the seuerall length aboue limitted, and not vnder. Neither shall it extende to any of the Queenes subiects, whose houses bee not aboue fve mile distant from the Sea coasts, or which bee inhabiting within xii. miles of the Borders of Scotland, or which bee inhabitantes of the Isles of Gerssey, Gernesey, Anglesey, Wight, and Man. But it is lawfull for euery of the sayd inhabitants to haue, and vse their handgunnes, hagbuts and demyhakes of the lengths abouesayd within the sayde limits and Isles, so that it bee at no Deare, Shoueler, Pheasant, Partridge, wilde Swanne, or wilde Elke. Neither shall this act extende to any owner of any Shippe, for hauing or keeping of any Handgunne, hagbut, or demyhake of the seuerall lengths aboue expressed, or vnder, only to be had and occupied within any their ship or other vessel, or for the carriage and recarriage of them on lande, or keeping them, for the onely exercise of them within their said Shippe or vessel. Neither shall this act bee preiudiciall to any seruaunt or person that shall bende, beare, carrie, charge, vse, or assay any Crossebowe, handgunne, Demihake, or Hagbut of the lengths aforesayde, by the commandement of his Lord or Master, so that he doe not shoote at any Foule, Deare or other game. Nor to any such seruant or person, that shall beare or conuey any Crossebowe, Handgunne, Hagbutte or Demyhake of the lengths aforesayde to any place by the commandement of his Lord or Master that may shoote, to be repayred, amended, deliuered or assayed, so that the same seruaunt or person haue ready to shewe to euery person requiring the sight thereof, one licence in wryting, sealed or subscribed by his saide Lord or Master, to cary the same Crossebowe &c. to bee amended, assayed, or deliuered. 33. H. 8. 6.

To these persons this statute extendeth not.

9 If any person obtaine of the Q. her heires or successours any Placard, Licence or Bill assigned to shoote in a Crossebowe, Handgunne, Hagbutte, or Demyhake, contrary to the purport of this act, then there shall bee conteyned therein at what beastes, or other foules hee shall shoote, or else the same Placard &c. shalbe voyde. And euery

Hattes and Cappes.

such person before he doeth shoote, shalbe bounde in the Chauncerie in Recognisance in xx. pound to the Queenes vse, that he shal not shoote at any other beasts or fowles, then is specified in his Placard, licence or bill assigned. And all Placards, licences and billes made to any person not bound, shalbe void. 33. H. 8. 6.

Haileshoote.

10 **W**hosoever shall shoote in any place, any Haileshoote or more pellets then one at one time, shall forfeite tennue pound, and bee imprisoned thre moneths. 2. Ed. 6. 14.

The names presented of those which shoote in gunnes.

11 **A**ll persons aucthorised to shoote, or otherwise, are bounde vnder the paine of xx.s. a shoote in any Handgunne, or halfehake, to present their names to the next Justice of peace of the shire, if he dwell in the countrey, or to the Maior or head officer, if he dwell in a towne corporate, to the intent the Clerke of the peace may keepe a Booke of the names of al such, that the Queene may knowe how many able persons she hath in eche countie for that seruice, and the Justice, Maior, & head officer are bound in the like paine to receiue their names. 2. Ed. 6. 14.

1 Where, in what case, and in what maner it shalbe lawfull for a gunner to take an apprentice. S. Labourers 30.

2 The punishment of a gunner which taking prest wages to serue the Queene, departeth from his Captaine, See Felonie, 23. Mariner, 1.

Hattes, Cappes.

Wearing of Cappes vpon holy dayes.

Every person aboue the age of vi. yeeres inhabiting and abiding within any of the cities, boroughes, townes, villages or hamlets of this Realme, shall vse and weare vpon the Sabboth and holy day (vnlesse in time of his trauell out of the said Cities, Townes &c.) vpon his head one Cap of wooll, knit, thicked, made and dresed in England, and onely dresed and finished by some of the science of Cappers, vpon payne of forf. for euery day not so wearing, iii.s. iiii.d. (except maydens, Ladies, and gentlewomen, all noble personages, euery Lorde, Knight, and gentleman of the possessions of twentie marke lande by yeere, and their heires, and such as haue bozne office of worshippe in any Citie, Borough, Towne, Hamlet, or Shire, and such as haue bene wardens of the worshipful companies of London.)

Persons excepted.

13. Cl. 19.

Child, servant, or ward offending.

2 **I**f any childe, servant, or warde aboue the age of vi. yeeres, and vnder xxi. shall offende contrary to this statute, his Parent, Gardein, Gouvernour, or master, with whome hee shall remaine, or dwell, shall forfeite the penaltie aforesaid. 13. Cl. 19. S. Justice of peace. 45. Lectes. 12.

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Whosoever doeth by himselfe, or any other, make or worke
 or hat, of, or with any forrein wool, or stufte, (vnlesse such per-
 son hath first bene apprentice, or couenant seruant to the mysterie of
 or hat making, by the space of seuen peeres at the least) shall
 for euery such hats or feltes which he shall make or worke, and v.li. for
 moneth that he shall so continue. But euery person that was a
 r or worker of hattes at the time of making the stat. may so con-
 during his life, though he were not bound pientice for vii. yerres.
 .11. And whosoever doeth by himselfe, or by his seruant or ap-
 prentice, worke any feltes, or thymmed hattes, or occupie the my-
 sterie of making of feltes or thymmed hattes within the citie of Nor-
 wich, or Countie of Norffolke (vnlesse he be admitted so to doe by the
 or, Recorder, Steward and two Iustices of peace of the saide
 or, or by iiii. of them, or that he hath bene apprentice to the same
 pation by the space of seuen yerres, or doeth make any hattes or
 or occupie the mysterie thereof in any place out of the Citie of
 wich within the Countie of Northfolke, but only in a Corporate
 market Towne) shall forf. the same feltes or hats, and also x.s. for e-
 halfe dosen of them made contrary to the Statute. But if the
 or, Recorder, Steward, or Iustices of peace of the Citie of
 wich, take any reward for admitting any person to occupy the
 mte, he shall forf. for euery offence. v. li. to the D. and J. to be reco-
 d by Accion, Information &c. wherein no W. &c. P. or forreine
 &c. 5. Ed. 6. 24.

None shall
 work hats, but
 which haue
 bene pientice.

Making hats
 in Norwich &
 Norfolke.

Whosoever shall make, sell, or cause to be made or solde any
 or other thing of felt but onely hattes, or shall make, sell, or &c.
 Cappe, of wollen cloth not knitte, or shall die or &c. any Cappe
 Barke or Swarfe, but onely with Coporas and Gall, or with
 ad and Madder, or shall thicke or full in a mill, any Cappe until
 same bee first well scowped and closed vpon the banke, and halfe
 ked at the least in the footestocke, shall forsaite for euery offence
 to the D. and J. vsing cappe making, wherein no W. &c. E. P.
 .Cl. 11.

Caps of felt
 or of woollen
 cloth not knit.

Dying, thic-
 king or fulling
 of cappes.

If any man vnder the degree of a Knight, or a Lords sonne,
 h weare any hatte or vpper cappe of veluet, or couered with vel-
 he shall forf. x. s. to the D. & J. vsing the seate of capmaking, wherin
 W. &c. P. &c. 8. Cl. 11.

Veluet hattes
 or cappes.

If any maker or worker of hattes, doth take aboue two Ap-
 prentices at one time, or doeth take those for any lesse time thē seuen
 yerres at the least, he shall for euery apprentice so taken, be one Mo-
 imprisoned in the common Gaole without bayle or mainprise,

How many
 apprentices
 hattes may
 take.

Hattes and Cappes,

and bee from thence forth disabled to haue any moze apprentices then one at a time, & also such taking of apprentice is voyde. But this shal not charge any felt or hatmaker for setting a worke his own children in his owne house. &c. 8. El. 11.

The prices of
wollen caps
and hats made
beyond the sea.

7 ¶ Whosoever selleth any wollen cappe or bonnet made in any partes beyond the sea, aboue the price of ii. s. any hatte aboue x. d. any single crowned wollen cappe, or single wollen nightcappe made beyond the sea, aboue sixe pence, shall forfeite for euery cappe, hat and bonnet so solde, fourtie shillings to the Queene and Informer, to bee recovered by Accion, Information &c. wherein no W. &c. E. P. &c. But the buyer or wearer of any such bonnet, hatte, or cappe, may lawfully detaine the same, without seisure or other forfeiture. 21. H. 8. 9. 1. M. 11.

Customs payd
for hats and
cappes.

8 ¶ If any wollen bonnets, hats, or cappes made beyonde the sea, bee brought from any parts beyond the sea, into any of the Queenes dominions, the owner thereof or his seruant shall bring them to the Customer of the Citie, Port, place &c. where they shall bee layed on lande, or discharged, and there enter into the customers bookes the custome for them, and pay the same, as by the lawes and statutes of this Realme he ought to doe, or els hee shall forfeite them or the value of them. 1. M. 11.

Cappes and
hattes solde by
the Customer
and chiefe officer
of the
Towne.

9 ¶ If he which bringeth any such Hats or Cappes from beyond the Sea, will carie any of them away from the place where they bee layed on land before they bee sold (according to the prices limited in the statute. 21. Hen. 8.) by the Customer of the Port &c. and the chiefe officer of the Towne, Port &c. where they be layd on land, he shal forfeit for euery hatte or cappe remoued or otherwise sold forty shillings to the Queene and A. to be recovered by A. J. &c. wherein no W. &c. E. P. &c. 1. M. 11.

The Customer
shal giue notice
of the hattes &
cappes to the
Mayor &c.

10 ¶ If the Customer, or his deputie of the Citie, Port, haven or creeke, where such bonnets, cappes or hattes shall be brought into any of the Queenes dominions, from any of the partes beyonde the sea, doe not within two dayes after the entrie of the same caps or hats in his bookes giue notice of the same to the Mayor, Sheriffes, Bailiffs or other chiefe Officers of the sayd Cities or Portes, he shall forfeite his office. 1. M. 11.

The Customer
& chiefe officer
shall sell the
hats and caps
brought from
beyond the
Sea.

11 ¶ The Customer of the said haven or port, or his deputie, with the Mayor or his assigne, or chief officer of the place where Cappes or hats brought from beyond the sea shalbe laid on lande, in the presence of the owners (if they will be present, or els in their absence) shall sell the said cappes, hattes, and bonnets to such persons as wil buy them (so that

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that they sell not aboue a dozen to one person) at such prices as is limited (21. H. 8. 9.) and not aboue, and shall deliuer the money to the owners of the same hattes at such time as they will receiue the same. And if any Customer or Maior, chiefe officer &c. shalbe remisse or negligent to make sale, he shall forfait twentie pound to the Queene and Informer, to be recovered by Accion, Information &c. wherein no W. &c. E. H. &c. 1. H. 11.

12 If any person by fraud, couin, collusion, or colour, doth buy, or bargain for any more hattes or caps (being made out of the realm) at one time, or of one man, then one dozen, hee shall forfait for euery cappe or hatte so bought fourtie shillings to the Queene and Informer, to be recovered by Accion, Information &c. wherein no W. &c. E. H. &c. 1. H. 11.

No man shall buy aboue xii. hattes or caps

13 If any of the Queenes subiects bozne vnder her obeyfance, except Lords and Knights) doeth buy any hattes or cappes made & ready wrought in any part beyond the sea, hee shall forfait for euery such Cappe and Hatte fourty shillings to the Queene and Informer, to be recovered by Accion, Information &c. wherein no W. &c. E. H. &c. 3. H. 8. 15.

Buying of hattes or caps wrought beyond the sea.

14 If any Capper, Hatter, or other person doeth sell, or put to sale any hattes or cappes made within this Realme, without they bee sufficiently wrought and of a sufficient colour in euery point after the goodnesse and fincnesse of the wool whereof they be made, he shal forfait for euery hatte or cappe so solde sixe shillings eight pence, 3. H. 8. 15.

Cappes shalbe well wrought and coloured.

15 If any Hatter, Capper, or other person by himselfe or any other to his vse, will take of any of the Queenes subiects for any hat of the best making not ingrained aboue two shillinges, or for any cap made of the finest Lemster wooll aboue iiii. s. iiii. d. or for any Cappe made of the second sort of Lemster wooll aboue ii. s. vi. d. or for any cap made of the third sort of Lemster wooll aboue xx. d. or for any Cappe made of the fourth sort of Lemster wooll aboue xii. d. or for any Cap made of the finest sort of Cotswold wooll aboue ii. s. or for any Cappe made of the second sort of Cotswold wooll aboue xvi. d. he shall forfait for euery Hatte and Cappe, (for which he shall take more) fourty shillings to the Q. & I. to be recovered by A. I. &c. whercin no W. &c. E. H. &c. But cappes and hattes of other wool shalbe solde, as the buyer and seller can agree. 3. H. 8. 15.

The prices of hattes & caps.

16 The Cappe made of the finest Lemster wooll, shalbee marked in the lining with the letter L. the Cappe of the second sort of Lemster wooll with L. R. the Cappe of the finest Cotswolde wooll with V. iiii.

The markets of cappes.

with

Haukes.

with the letter **E**. The Cappe of the second sort of Cotswold wooll with **E**. R. 3. H. 8. 15.

1 That Hatmakers, dwelling in Norwich, may buy middle Vffe yarne to make hattes with. S. Yarne,

Haukes.

Taking Hauke
or Haukes
egges out of
an others
grounds.

Wholesoever doeth wrongfully by night, or day, take away any Hauke or Haukes, or the egges of any of them, out of the woodes or ground of any person (not hauing lawfull authoritie or licence so to doe) and thereof is lawfully convicted at the suite of the D. or P. griued, shall pay to the partie griued his treble damages, suffer imprisonment by the space of thre moneths, and then find sufficient suretie for his good abearing for the space of vii. yerres after, or els remaine in prison vntill he hath found suerties. 5. Cl. 21. S. Iustice of peace. 34.

How ech man
shall use the
Hauke which
he taketh vp.

2 **W**holesoever findeth a Faucon, Terceler, Laner, Laneret, or other Hauke which the owner thereof hath lost, shall immediatly bring the same to the Sherife of the Countie, which shall make proclamation in all the good townes of the Countie, that he hath such a hauke in his custodie, and if the owner which lost the Hauke, or any of his seruants come to chalenge it, and proueth it, that it is his masters, he shall pay for the costs and haue it. And if none do come within foure Monethes to chalenge it, then the Shirife shall haue the Hauke, agreeing with him that tooke it vp, if he be a simple man, and if he be a gentelman and of estate to haue a Hauke, then the Sherife shall deliuer him the Hauke, taking reasonable allowance for the keeping thereof. And whosoever taketh a Hauke, and the same concealeth from the owner, or from his Fauconers, or taketh away a Hauke from the owner, or stealeth a hauke and carrieth it away, not obseruing the foresaid ordinances, and is thereof attainted, shall bee vsed as a felon which hath stollen a horse or other thing. 34. Ed. 3. 22. 37. Ed. 3. 19.

Taking the
eggs of haukes
or Swannes.

3 **W**holesoever doeth take or cause to bee taken vpon his owne ground, or any other mans, the egges of any Faucon, Goshaue, Laner, or swanne out of the nest, shall be imprisoned a yere and a day, and make fine at the Queenes pleasure. 11. H. 7. 17.

The taking,
searing and
killing of
Haukes.

4 **W**holesoever taketh any Cirer, Faucon, Goshaue, Tassell, Laner or Laneret, in his warren, woods, or other place, or purposely driueth them out of their couerts, accustomed to breede in, or causeth them to goe to other couerts to breede in, or killeth them for any hurt by them done, shall forfeite ten pound to the Queene and Informer. 11. H. 7. 17.

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Whofoeuer doeth beare any Hauke of the breede of English haukes, called a Myesse, Goshauke, Tassel, Laner, Laneret, or Faucon, for the same to the Q. 11. 7. 17.

Whofoeuer bringeth any Myesse, Hauke, and haukes, from partes beyonde the Sea, must bring a certificat vnder the Custos Seale of the Port where hee first landed with the same Hauke, and he that cometh forth of Scotlande, then vnder the Seale of the warden or Lieutenant of the March which he came through, saying that the same Haukes bee of the partes beyonde the Sea, Scotland, or else he shall forfeite to the Queene the same haukes. 11. 7. 17.

That eche man may haue Eiries of Haukes, within his owne lands, which be within any Forest, S. Woods. 24.

That no person shall haue where any eared or coddled corne bee standing, S. Felants, 4.

Hauens and Riuers.

any person doth cast or vnload, out of any Ship, Crayer or other vessel being within any Hauen, Rode, Channell, or Riuer, flowe, or running to any Port Towne, or to any Citie, Borough or Towne, within any of the Queenes dominions, any balast, Rubbish, or other wicke or filth, but onely vpon the lande, aboue the sea marke, hee shall forfeit for every offence five pound to the Q. Informer, to bee recovered by Accion, J. &c. wherein no W. &c. 11. 8. 9.

Whofoeuer fasteneth to any postes, bores, ankers, or like things any manner of nets ouerthwart any Riuer, there to continue, for the same offence v. li. 2. 6. 15.

It shall not be lawfull to any person or persons whatsoeuer, to set any net or nettes with any boate, or boates called a Stallboate, or other boate or vessel whatsoeuer, within the entrie or mouth of the Riuer of Oxford in the Countie of Suffolke, or in the Gull being a part of the same hauen, except the maske or shale of every such net, throughout the whole net, doe containe two ynches and a halfe at least in wydenesse, from knot to knot, vpon paine to forfeit every time, that any nette or nettes shall bee set or placed in the Hauen or Gull, not being of the maske or shale aforesaide v. li. either with the net or nets so set, or the value thereof to the Q. and to bee recovered in any Court of recorde at Westminster and not elsewhere, by A. B. P. or J. wherein no Wager, Essoyne, Protection, or other thing shall be pleaded. 7. Cl. 21.

Hempe, Flaxe. Herons. Hexam and Hexamshire.

Watering of
hempe & flaxe.

Whosoeuer doeth water any Hempe or Flaxe in any Riuer, running water, Stream, Brooke, or other common pond where beastes bee vbled to bee watred, but onely on the ground, or pits for the same ordeined, or else in his owne seuerall poudes, shall forsaite for euery offence xx.s. to the Queene and partie grieved, or J. &c. to be recovered by Accion, Information, &c. wherin no W. &c. C. P. &c. 33. H. 8. 17.

Sowing of
hempe and
flaxe seedes.

Euery person inhabiting in any countie or place within this Realme, hauing lx. acres of arable land or pasture apt for tillage (in which county, or part of Countie, the Queenes Maiestie by Proclamation made sithence the Parliament holden in the fift yere of her Reigne, or hereafter to bee made, hath or shall publish it to bee commodious for the common wealth, to sowe flaxe or hempsede) shall yeerely sowe in seasonable time one whole acre or lesse, as by the sayd proclamation shall be appointed, with hempsede, or flaxe seede, vpon paine of forsaiture of v. li. for euery default. 24. H. 8. 4. 5. Cl. 5. 27. Cl. 11. to continue to the end of the next parliament now next ensuing.

Taking of old
Herons.

1 What hempe growing within fife miles of Burport shall bee sold, and how much hempe shalbe accompted a stone, S. Cables, 1. 3. Herons.

Taking pong
Herons.

If any person without his owne ground, doth kill, take, or cause to be taken, any Herons by meanes of any craft or engin (without it be with Hawking or long Bowe,) he shall forsaite for euery Heron so taken or killed vi. s. viii. d. to the Q. and J. to bee recovered by Accion of debt, wherin no W. &c. P. &c. 19. H. 7. 11.

2 If any person without his owne ground, doeth take any pong Herons out of the nest, without licence of the owner of the ground where the sayde nest is, hee shall forsaite for euery Heron so taken out of the nest x. s. to the Queene and J. to bee rec. by A. of debt, wherin no W. &c. P. &c. 19. H. 7. 11.

Hexam and Hexamshire.

The tertiozie, franchise, and libertie of Hexam and Hexamshire, with the liberties of the same, may be, is, and shall be taken to be within, and part, parcell, and member of the Countie of Northumberland. And as well the pleas of the Crowne, as all suites betwixt party and partie, may proceede and haue their due ende and triall within the sayd Countie of Northumberland, by and before the Sheriffe and Coroners of the sayde shire, and also before the Iustices of peace, Iustices of Sayle deliuerie, Iustices of Assise, Nisi prius, oyer and determiner, and other officers, and eche and euery of them, as the case shall require, and take effectes, as any of the like haue bene

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ought to be, which haue happened or shall happen within the saide Countie of Northumberland. And the Sherife and other Officers of the county of Northumberland for the time being, haue full power and authoritie to execute his or their office, and all processe to him or them directed within Hereford and Herefordshire, and liberties of the same, in as ample and large maner, as he or they may, shoulde, or ought to doe, within any other part of the said Countie of Northumberland, any graunt, priuiledge, custome &c. notwithstanding. Saving to the Bailife of the liberties, or other officers of the said towne of Hereford and Herefordshire, or the liberties thereof, all liberties and priuiledges for executing of processe, returne of writtes, and otherwise as they or any of them, of right ought to haue, before the making of this act. 14. El. 13.

High wayes.

The Constables and Churchwardens of euery parish within this Realme, shall perely vpon the Tuesday or Wednesday in Easter weeke, call together a number of the Parochians, and then shall chuse two honest persons of the Parishes to bee Surueyors for one yeere, of the workes for the amendement of the high wayes in their Parish, leading to any market towne, the which shall order and direct by their discretions, the persons and cariages appointed for those workes. And if any of the persons, so named to be Surueyors will not take vpon him the execution of the said office, hee shall forfeit. 1. s. 2. & 3. P. & M. 8.

Surueyors for
the amendement
of high wayes.

2 The Constables and Churchwardens shall then also appoint six daies for the amending of high wayes before the Nativitie of Saint John Baptist, and shall openly in the Church vpon the Sunday after Easter, giue knowledge of the same six daies. And euery person hauing a Draught or Plowe, which doeth not send and find at euery day a place appoynted for the amending of high wayes in that Parish, one Waine or Cart furnished after the custome of the Countrey, with Oxen, Horses or other Cattell, and other necessaries meete to cary things conuenient for that purpose, and also two able men with the same, for euery Plowe lande in tillage or pasture that he hath, shall forfeite for euery draught making default 1. s. 2. and 3. P. & M. 8. 5. El. 13.

Six daies for
the amending
of wayes.

Each mans
charge for a
Plowe land.

3 If any of the cariages of the Parish shall not bee thought needefull by the Surueyors to bee occupied vpon any of the sayde daies.

Two men in
steade of a carriage.

High wayes.

dayes, then each person as should haue sent carriage, shall sende for euery carriage so spared, two able men there to labour for that day, vpon paine to forfeite for euery man not sent xii.d. 2. & 3. P. & M. 8. 5. El. 13.

Cottiger.

Necessary
tools.

Repairing of
Sea bankes
& Sea workes
within the
Countie of
Norff.

High Constables
Surueys
ms.

4 ¶ If any Houssholder, Cottiger or Labourer of the Parisse, hauing no Plough or Draught able to labour, and being no hyred seruant by the yere, doeth not by himselfe, or one sufficient Laborer for him, vpon euery of the saide sixe dayes, worke in the amendment of the high wayes, he shal forfeite for euery day making default xii.d. which persons and carriages shall bring with them Shouels, Spades, Mattocks, and other tooles, and doe such worke as they be appointed vnto by the Surueyors, by the space of viii. houres in euery of the saide daies (except they be otherwise licenced by the same Surueyors or one of them) 2. & 3. P. & M. 8. The Iustices of peace within the Countie of Norfolke, shall and may perely, at any general Sessions to be holden within the said Countie, for and towards the making and amending of any the Sea bankes or Sea workes within the said Countie of Norff. (now being, or that hereafter shalbe in ruine or decay) limite and appoint so many of the aforesaid day workes, as by their discretions shalbe thought superfluous, and not needefull to be employed towards the amendment of the aforesaid highwaies, within thre miles of the said Sea bankes or Sea workes, which shall needefully require any such reparation or amendment. And euery person and persons, dwelling within thre miles of the said Sea bankes and Sea workes needefully to be amended as is aforesayde, shall peerely vpon reasonable warning giuen, during so many daies as shalbe limited and appointed in the said Sessions, in respect of his and their labour and cariages, stande and be in that degree charged, and chargeable towards the making, repaying and amending of the said Sea bankes or Sea workes, as by the foresaide statutes of 2. & 3. P. & M. and 5. El. 13. they stand charged & chargeable for the amendment of any high wayes: And they and euery of them for the not doing and performing the same, shall incurre the like paine, penaltie and forfeiture, as is conteined in the aforesaid Statutes, made for the amendment of high wayes, and euery of them. And the said Iustices likewise, in their aforesaid generall Sessions, shall and may nominate and appoint the high Constables of euery hundred, that shall be charged or chargeable by force of this acte, towards the making or amending of the said Sea bankes, or Sea workes, to be Surueyors of the said Sea workes and Sea bankes, and they and euery of them shall take vpon them the execution of the said charge and office, and duly

duely perfoyme the same, vpon such like paine and forfaiture, as by the said statutes or any of them, be imposed vpon any Surueyor, or Surueyors, for not taking vpon him or them the office of Surueyor for the amendement of the high wayes. And euery person and persons, which shalbe perely charged to the making and maintenance of the said bankes or Sea workes, shalbe discharged of so many dayes towards the making of the high wayes, as shall be employed and bestowed towards the making and amending of the said Sea workes and Sea bankes, All the said penalties and forfeitures to be leuied in manner and forme as in the said statutes are limited or appointed. 27. El. 24. to endure for the space of five yerres, and from thencefoorth vnto the ende of the Parliament next ensuing the said five yerres.

5 ¶ It is lawfull for euery Surueyor, for the amending of the wayes within the parish where he is Surueyor, to take and carry away so much of the Rubbish or smallest broken stones which hee shall finde ready digged in any Quarrey, being within the Parish where he is Surueyor, as by his discretion shall be adiudged necessarie for the amending of the wayes, without licence, controulment, or impeachment of the owner. And for default of a Quarrey not founde in the Parish, or of rubbish not found in such Quarrey, it is lawfull for euery such Surueyor to gather stones vpon any landes, or groundes within the Parish, meete to be vsed to such purpose, and likewise to digge or cause to be digged for grauell, sande, or sinder for the saide vse, in the seuerall groundes of any person, where the same is like to be founde within the Parish where he is Surueyor, and nigh adioyning to the way where such reparations shal be thought necessary (so that it be not in the house, gardeine, orchard, or meadow of any person, nor aboue one only pitte in any seuerall and inclosed ground, which pitte shal not be in bredth or length aboue x. yards ouer at the most,) and if the Surueyor which shal cause such pit to be digged, doe not within one moneth after such digging cause the same to be stopped by w earth at the costes of the Parishioners, he shal forf. to the owner of the soyle where the pit is made, five Markes, to be recovered by A. of debt. 5. El. 13.

Taking of other mens rubbish.

Gathering of stones.

Digging for grauell.

Places not lawfull to digge in.

The surueyor shall stoppe the pitte againe.

6 ¶ It is lawfull for euery Superuisor in the Parish where he. to turne a watercourse or spring of water being in any high way, and very noysome to the same, into any ditch of the seuerall groundes of any person or persons next adioyning to the said high way, in such manner, as by the discretion of the saide Superuisor shall be thought most meete. 5. El. 13.

Turning a water course into any mans ground.

7 ¶ The hayes, fences, dikes, or hedges, next adioyning on either

ther

High wayes.

**Fences and
ditches nere
vnto high
wayes.**

ther side to any high way, shall from time to time be diked, skowred, repayred, and kept lowe, and all trees and bushes, growing in þ high wayes cut downe by the owners, whereby the said wayes may be open, and people may haue more ready and easie passage, vpon paine that euery person committing any offence to the contrary, shal forfeite for euery default x.s. 5. Cl. 13. 18. Cl. 9.

**Presentment
of þ offences.**

8 ¶ The Surueyor which doeth not within one moneth next after any offence committed by any person, contrary to the purport and true meaning of any article aforesaid, present euery such offence to þ next Justice of peace, shal forfeite for euery such offence not presented fourty shillings. And if the same Justice of peace doe not certifye the same presentment at the next generall Sessions within the same countie, he shal forfeite v.li. 5. Cl. 13. 27. Cl. 11. To continue til þ end of the next Parliament now next ensuing.

**Refusing to
pay the for-
feiture.**

9 ¶ If the Baylife or high Costable of any Hundred, Rape, Lath or Wapentake, to whom the Steward of any leete or lawday, or in default thereof, the Clerke of peace shal make & deliuer the estretes indented of al fines, forfeitures, & amercements presented before him or them, cannot finde any sufficient distress of any persons offending contrary to þ puruew of any article aforesaid, or if þ said offender shal obstinately refuse to pay the said amercement, fine, or forfeiture, & doeth not pay the same within xx. dayes after lawfull demand of þ same by the said officer, then he shal forfe. double the summe that he should haue paid. 2. & 3. P. & M. 8. 5. Cl. 13. S. Leetes 13. Justice of peace. 69.

**Constables
account.**

10 ¶ If the Baylife, or head Constable doe not once euery yere betwixt the first day of March and the last day of April, make a true account, & payment of all such summes of money (to the Constables and Churchwardens of euery Parish, wherein the offence was committed, or to two of them) which he shall haue collected vpon any of þ foresaide estretes, he shal forfe. for euery time not so doing xl. s. 2. and 3. P. & M. 8. 5. Cl. 13.

**The head Cos-
table called to
account.**

11 ¶ The Churchwardens of euery parish may call the Baylife and head Constable to account before the Justices of peace or two of them, wherof one to be of the Quorum, by bill, T. or otherwise, which Justices haue authoritie to take the account, and to commit the saide Baylife or head Constable to prison, vntill he shal pay all such arrears as shalbe adiudged by the said Justices, & the fines, forfeitures, & amercements due for any offence contrary to the purport of this stat. shalbe to the Churchwardens, to be bestowed about the repaire of the waies of the said parish. But the bailife & head constable vpon his account shal haue allowed for euery poise he shal collect & pay, viii. d. for

for his owne paines, and xii. d. for the fees of the Clerke of the peace, or steward of the Leete, for the estrectes indented of euery seuerall Parish that he shall deliuer, And the successours of Church wardens shall haue the like accion of Accompt against their predecessours, as is before appointed against the Bailifes. 2. & 3. P. & M. 8. 5. El. 13.

Churchwardens accompt.

12 ¶ Euery person (except such as shall dwel in the Citie of London,) that shall be assessed to the paiment of any Subsidy to y^e Quenes Maiestie to v. li. in goods, or xl. shillings in landes or aboue, during al such time as he shall stand so assessed and not altered, and being none of the parties chargeable for the amendement of high waies, by any former law, but as a Cottager, shall finde two able men yerely to labour in the high wayes, at such dayes and tymes, as are before limited and appointed. 18. El. 9.

The charge of ech person being. v. li. in goods or xl. s. in lands.

13 ¶ Euery other person that shall occupie a plough lande in tillage or pasture, lying in seuerall Parishes, shall bee chargeable to the making of the wayes within the Parish where hee dwelleth, as farre forth and in such maner, as any person hauing a plough lande in any one parish is, or ought to bee chargeable by reason of the sayd former statutes, or either of them. 18. El. 9.

Hauing a plough land in seuerall parishes.

14 ¶ Euery person keeping in his handes seuerall plough lands in seuerall Townes, shall be charged to finde in ech Towne or Parish (where the said plough lands do lie) one cart, waine, Tumbrel, dungport or Court, sleades, carres or dragges, furnished for the repairing of high waies, within the seuerall parishes where the said plough lands doe lie, in such maner as if he were a parishioner dwelling within the parishes where the same seuerall plough lands doe lie. 18. El. 9.

A man hauing seuerall plough lands in seuerall parishes.

15 ¶ Euery person that shall occupie any lands adioyning to any high way, where any ditching or scouring ought to be, shall fro time to time as neede shall require, ditch and scoure in his ground so adioyning, whereby the water conueyed from the said high way ouer the ground next adioyning may haue passage ouer the said ground so next adioyning to that ground, vpon paine of forfeiture for euery time so offending for euery Rod not so ditched and scoured xii. d. 18. El. 9.

Ditching and scouring.

16 ¶ No person hauing any ground by lease or otherwise, adioyning to any high way leading to any Market Towne, shall caste or scoure any ditch and lay the soyle therof into the high way, and suffer it to lie there by the space of vi. moneths, to the annoyance of the sayd high way, vpon paine of forfe. for euery lode of soyle so cast &c. xii. d. And where any soyle hath bin so cast into the high way that there is a banke betweene the said way and the ditch, it is lawfull to the Surveyors and workemen to make steeves or other deuises by their discreti-

Casting of soyle into the way.

Steeves to raise up the water into a ditch.

Homage and Fealtie,

cretions, to conuey the water out of the said way into the ditch, any lawe or vsage &c. notwithstanding. 18. El. 9.

How the penalties shall be leuied.

17 ¶ Every penaltie forfeited for any cause within this statute, shall be leuied in euery parish by the Surueyors of the wayes within y^e parish by distress, & sale of distress, in maner as fines & amercements in leetes haue bene vsed, And the money so leuied shall be imploied vpon the high way where the offence was committed. And if the Surueyors shall not, or wil not leuie and imploy the same within one yeere after the offence so committed, then the said forf. shall be leuied in forme aforesaid, by the constables or churchwardens of the towne or parishes where the worke ought to be done in the high way. And he or they so leuying any of the said penalties or forfeitures, shall make such accōpt as is appointed in the before recited statutes. 18. El. 9.

The wayes shall be CC. foote broade.

18 ¶ The high wayes leading from one market Towne to another, shall be enlarged there where any wood, hedges, or ditches be, so that there shall be no ditch, wood, or bush, where he that doeth lewdely may escape, within CC. foote of the high way, on the one side, & CC. foot on the other (but this stat. extendeth not to Aldes or great trees.) And if any robberies be done by default of breaking downe ditches, vnderwood & bushes, the Lord shall answer therfore, & if it be a murder, the Lord shall be punished at the Queenes pleasure, and if y^e Lorde be not able to cut downe the vnderwood, the Countrey shall help him. And within the Queenes demesne woods within forests & without, the wayes shall be enlarged as before &c. And if any Parke be neere vnto the high way, the Lord therof shall diminish it by the space of two hundredeth foote from the high way, or els make such a wall, ditch, or hedge, that Offendors cannot goe forwarde or backward to doe any hurt. Winchester. 13. Ed. 1. 5.

1 For the repaying of high wayes at the endes of Bridges, See Bridges 7.

2 That Iustices of peace may inquire of, or present high wayes not repayred, and punish the offenders. S. Iustice of peace, 69.

Homage and Fealtie,

Respite of homage.

N^O person shall pay in the Queenes Eschequer, or any other Courts for the respite of Homage, of, or for any manors, lands, tenements, or hereditaments, wherof the cleere percell value exceedeth not v. li. aboue viii. d. and for the entring thereof and warrant of Atturney, aboue iiii. d. 33. H. 8. 22.

The forme of a free mans homage.

2 ¶ When a free man shall doe homage to his Lord of whom hee holdeth in fee, he shall hold his hands together betwene y^e handes of his Lord, & shall say thus, I become your man from this time forward, for life,

life, for member, & for worldly honor, and shall owe you my faith, for the lands that I hold of you, saving the faith that I doe owe to our Soueraigne Lady the Queene, and to mine other Lords. 17. Ed. 2.

3 ¶ When a free man shall doe fealtie to his Lord, he shall hold his right hand vpon a booke, and shall say thus, Heare you my Lord R. that I, B. shall be to you both faithfull and true, and shall owe my fidelitie vnto you, for the land that I hold of you, and lawfully shall doe such customes and seruices as my duty is to you at the termes assigned, so helpe me God &c. 17. Ed. 2.

A free mans fealtie.

4 ¶ When a villaine shall doe fealtie to his Lord, he shall hold his right hand vpon the booke, & say thus, Heare you my Lord A. that I, B. from this time forth vnto you shall be true, and faithfull, & shall owe you fealtie, for the land that I hold of you in villenage, and shall be iustified by you in body and goods, so helpe me God &c. 17. Ed. 2.

A villaines fealtie.

5 ¶ If the heire of any which holdeth his landes of his Lord by knights seruice, be within age, his Lord shall not haue the warde of him, nor of his land, before he hath take of him homage. Magna Charta. 9. H. 3. 3.

The Lord shall not haue wardship, vntil he hath taken homage.

Honic.

All Barrells, Kilderkins, and Firkins filled with Hony by the maker and filler, shall be marked with ii. letters standing for his name and surname, eche letter of an ynch and a halfe of length at the least, burnt vpon the head of the Caske with a hotte yron, vpon the paine to forfe. vi. s. viii. d. for euery barrell, kilderkin, firkin, or caske, sold or offered to be sold, and not so marked. And if any person or persons doe or shall fill or sell, & cause to be filled or solde, or offered to be solde any Barrell, Kilderkin or Firkin with Honic, for, or in the name of a Barrell, Kilderkin or Firkin, conteining lesse then xxii. wine Gallons the Barrell, xvi. wine gallons the kilderkin, & viii. wine gallons the firkin, Euery person and persons so offending, shall forfe. for euery halfe gallon so lacking v. s. And euery person and persons, that shall corrupt the Honic so solde, or to be solde, with any deceiptfull mixture, shall forfe. the barrell or vessel, and honny therein conteined, to the Q. and Informer. 23. El. 8.

Vessels of honny marked with two letters.

The content of euery vessel of honny to be sold. S. Wines. 16.

Corrupting of honny.

2 ¶ If any person or persons, shall at any time hereafter counterfeit any the markes aboue mentioned, or shall set to the marke, or markes of any other person or persons, without the consent of the same person or persons, whose names the saide markes shall signify: euery such offender in the premisses, shall forfeite for euery such

Counterfeiting of markes or marking with anothers marke.

Hornes & Horners. Horles, Mares.

such default v.li. the one moitie to the Queene &c. and the other to the party deceiued, if he wil sue for the same, or otherwise to any other person or persons, that shall sue for the same by B. A. or J. in any of the Queenes courts of record, wherein no C. P. or W. shalbe admitted, &c. And for non sufficiencie of payment thereof, to be set on the pillorie, in the next market towne to the place where such offence shalbe committed, and suffer iii. moneths imprisonment, without bayl or mainprise, for euery offence committed contrary to this article of this present Act. 23. El. 8.

Hornes and Horners.

The Horners
of London
may search all
hornes within
xxiii. miles
thereof.

The Wardens of the mysterie of Horners in London, may search all maner of ware belonging to their mysterie wrought within London, or within xxiii. miles thereof. And also they may search Sturbridge and Ely Faire, and if by their search they finde any ware in any of the foresaid places defectiue and insufficient, in whose hands soeuer it be, to sell, they may take the same ware, and bring it before the Mayor of London, or the Mayor or Bailifes of the said faires, and the same being there proued defectiue, shalbe forfeited to the Mayor and the said Wardens. 4. Ed. 4. 8.

The Horners
of London
haue p. choice
of English
Hornes.

2 If any stranger by himselfe, or any other doeth buy any English Hornes, brought, gathered, or growing within London, or foure and twenty miles thereof on euery side next adioining, or if any Englishman, or other person doth sel any English hornes brought to any Stranger, or cause them to be sent ouer the Sea, so that the Horners of London will buy the said Hornes at like prices (as they were at when this statute was made) he shal forfeite al the Hornes so bought, solde, or sent ouer, to the Queene and the Wardens of the Horners. But after men of the occupation of Horners within this Realme, haue chosen out such and as many hornes, as shalbe needefull to their occupation: Then it shalbe lawfull to euery person to sel and deliuer all the hornes refused, which be not able to be occupied in their mysterie, to any stranger, or other person to cary beyonde the Sea, or els where. 4. Ed. 4. 8.

After London
Horners be
serued, stran-
gers may buy
some.

Hornes, Mares.

Owners and
farmers of
Parkes, char-
ged to keepe
Hornes.

Euery person aswel Spirituall as Temporal, hauing any Parke or ground inclosed with hedge, ditch, wall, or pale, in his owne hand, wherein any Deare is vsually kept for game, conteyning the
quantitie

quantitie of one mile in compasse, and is thereof seised in fee simple, fee taile, or for terme of life, in possession to his owne behoofe. And euery farmer of euery such parke and ground, being letten to farme, shall keepe for euery such parke or ground inclosed, so long as y^e same shalbe vsed or kept with Deare in the same for game, two Mares being not splayed, apt and able to beare Foles, ech of them of the height of xiii. handfuls at the least, to be measured from the lowest part of the hooft of the forefoote, vnto the highest part of the shoulder, and euery handfull to containe iiii. ynches of the standerd. And euery owner &c. or farmer of a parke which is foure miles in compasse or aboue, shall keepe foure such Mares &c. vpon paine of forfeiture of xl. s. for euery moneth lacking the said Mares, to the M. & J. to bee recovered by A. J. &c. wherein no W. &c. E. P. &c. But if any of the said Mares shall die by casualtie, & the owner do prouide another of the foresaid height within thre moneths next after the death thereof, he shal not incurre the penaltie of this statute. This statute shal not charge y^e owners of any parkes or groundes inclosed lying in Westmerlande, Cumberland, Northumberland, or the Bishopricke of Durham, to keepe any mares, Neither shal it charge any other person, the herbage of whose parke &c. is common to the inhabitants of the townes next adioining. 27. H. 8. 6.

2 ¶ If any Lord, owner or farmer of any parke or ground inclosed, appointed by this act to keepe Mares, will willingly suffer any Mare to be couered with any litle Horse, or Ragge of smal stature or value, he shal forfe. xl. s. to y^e M. & J. to be recovered by A. J. &c. wherein no W. &c. E. P. &c. 27. H. 8. 6.

Mares shal
not be couered
with Littles.

3 ¶ Whosoever doeth put to pasture, into, or vpon any Forrest, Chase, Moor, Marsh, Heath, common or waste ground, any stoned Horse, being aboue the age of two yerres, and not being of the height of xv. handfuls, to be measured from the lowest part of the hooft of y^e forefoote, vnto the highest part of the withers, (and euery handfull to containe iiii. ynches of the standerd) to pasture, feede, or be in, or vpon any of the said Forrests, Chaces, Commons &c. within any of the shires and territories of Norfolk, Suffolke, Cambridge, Bucking. Hunting. Essex, Kent, Southamshire, Northwiltshire, Oxford, Bark, Worcester. Gloucest. Somerset. Northwales, Southwales, Bedford, Warwicke, Northampt. Dorsetshire, Cheshire, Stafford, the Countie of the Citie of Yorke, the towne and liberties of Glouc. the Countie of the Towne of Kingstone vpon Hul, the Countie Palantine of Lancaster, the Countie of Salop, Leceister, Hereford, Lincolne (except it be vpon any of the Parish, or Seggie Fennie grounds within

The height of
horses feeding
vpon the commons
in certain
shires.

Horses and Mares.

the Countie of Cambridge, Huntingdon, Northampton, Lincolne, North. Suff. or within the Isle of Elie) shall forfeite the sayde Horse. And whosoever doth put to pasture vpon any of y^e foresayd Marshes, or Seggie Fennie grounds in the sayd last excepted Shires or places, any stoned Horse aboue the age of two yeeres, not being of thirteene handfuls high, to be measured in forme aforesayd, shall forfeite the sayd Horse. 8. E. 8. 33. H. 8. 13.

The height of Horses fees being vpon the common in all other Shires.

Horses breaking forth, or put where no Mares be.

Seizure and measuring of a Horse not of a lawful height.

Refusing to measure a horse not of lawful height.

Driftes of forests, commons, heaths.

4 ¶ Whosoever doeth put to pasture any stoned Horse aboue the age of two yeeres, not being xiiii. handfuls high, to bee measured in forme aforesayd, vpon any forest, chase, common, &c. being within any other Shire of this Realme, then is first before specified, shall forfeite the same Horse. But no person shalbe preiudiced by this statute for the hauing or putting any Horse to feeding vnder the heightes aforesayd, vpon any common or waste ground where Mares or Fillies are not bled or suffered to be kept. Nor for any stoned Horse of his which shal once in a yeere escape or breake out of his seuerall ground against his wil, into any Forest, Chase, Common, &c. so that the sayd horse doeth not remaine there foure dayes next after sufficient and open notice giuen at his house, or publication made on a Sunday, or festiuall day in the parish Church where he dwelleth. 32. H. 8. 13.

5 ¶ Whosoever findeth any Horse in any Forest, Chase, Common, Dooze, Parish, Heath, or waste ground, contrary to this statute, shall goe vnto the keeper of the Forest, Chase, &c. or his Deputie, or to the Constable, Bailife, Headborough, Burtholder, or Tithingman of any Towne next adioyning vnto the place where the sayd Horse is, and commaund or require him in the Queenes behalfe, to goe with him to bring such Horse there feeding to the next pound, and there the Horse shalbe measured by the Officer, in y^e presence of three other honest men by the sayd Officer appointed, and if it be found that the said Horse is contrarie to this statute, then hee that doeth so challenge and seise him, may take and retaine him to his owne vse, as his own goods and cattels for euer, without vexation, suite, or trouble of the owner. 32. H. 8. 13.

6 ¶ If any of the said keepers, deputies, bailifes, constables, burtholders, or tithingmen, or iii. persons requested to be at the measuring of the sayd horse, do refuse to do as aforesayd, or do not truely measure such horse, then euery of them refusing to doe, or not doing his duetie therein, shall forfeite xl. s. to the Q. and A. to be recovered by A. J. &c. wherein no W. &c. E. P. &c. 32. H. 8. 13.

7 ¶ If the Lordes, owners, or possessors of Forests, & Chases, or their Officers, or the Constables, Headboroughs, Baylifes, Burtholders,

vers, and Tithing men, within whose Offices, precinctes, and limits, the commons, moores, marishes, heathes, and waste grounds being out of forests and chases, do lie, do not verely at the feast of Saint Michael the Archangel, or within xv. daies after, effectually drive the said Forests, Chases, Commons, Moores &c. the said Officers &c. Bailiffs, Constables, Headboroughs &c. shall forfeite for every time the sayde drift shalbe omitted, x. s. And it is lawful for the said Lords, owners, &c. & for the said constables, bailiffs &c. within the limits of their offices, to make like drift of the said forests, chases, commons, moores, marishes, heaths, & waste grounds at any other time of the yere, when, and as often as they shall thinke meete. 32. H. 8. 13.

8 ¶ If in any of the said drifts there shalbe found any Mare, Filly, Fole, or Gelding that shalbe thought not able, or like to grow able to beare foles of reasonable stature, or not able, or like to grow able to do profitable labors, by y^e discretion of the drivers or the more number of them, then y^e same drivers shal cause the same beasts to be killed, and y^e bodies to be bestowed where no annoiance shal grow. 32. H. 8. 13.

Unlikely
Tittes shalbe
killed.

9 ¶ Whosoever shall haue, or put to pasture any Horse, Gelding, or Mare, infect with scab, or mange, into, or vpon any forests, chases, moores, marishes, heaths, commons, waste grounds, or common fields, shall forfeite for every Horse, Gelding or Mare so infected x. s. to the Lord of the Leete, where the offence shall bee presented. 32. H. 8. 13.

Infected horses.

10 ¶ Every Archbishop and Duke of this Realme, shall haue, keepe, and mainteine of their owne proper horses, and at their owne costes, vii. stoned trotting horses for the Saddle, (being neither Cart nor Supter horses) every of the same Horses to be three yere old and upward, and in height xiiii. handfuls (reckoning to every handful iiii. ynches of the standerd) to be measured from y^e nether part of the haire of the hooft vnto the upper part of the wydersons or shoulders. Every Marques and Earle, and every Bishop whose Bishopricke is of the verely value of a thousand pound or above, shal finde & mainteine five stoned trotting horses for the Saddle, of the age & height aforesaid &c. Every Bishop whose Bishopricke is of the verely value of a thousand Markes or above, and every Vicount and Baron hauing lands, tenements, fees, annuities, or offices, for terme of his life to y^e cleere verely value of a thousand markes or above, shall finde and mainteine iii. stoned trotting horses &c. And every other Bishop, Vicount, and Baron not before mentioned, & also every other spiriual person hauing benefices or promotions to the verely value of 500. markes, and every temporall person hauing lands, tenements, fees, annuities, or offices

Keeping of
horses by reason
of degrees
or living.

Horses and Mares.

for terme of his life, in his owne right, or in his wiues to the peerely value of 600. markes, shal keepe & mainteine ii. stoned trotting horses for the saddle, vpon paine that euery person aforesaid lacking the number of the said horses to him limitted, shal forf. for euery horse so lacking by the space of iii. moneths xx.li. to the Q. & A. to be recouered by A. J. & c. wherein no W. & c. E. P. & c. 33. W. 8. 5.

Keeping of
horse by reason
of the
wines appa-
rell,

11 ¶ Euery other spiritual person vnder the degree of a bishop, hauing benefices or promotions to the cleere peerely value of i. hundred pounds or aboue, and not to the perely value of five. C. markes, and euery other person temporall not before mentioned, whose wife (being not diuorced, nor willingly absenting her selfe from him) doeth weare any Gowne or Peticote of silke, or any Veluet in her kirtell, or in the lining or other part of her Gowne (other then in the cuffes or purples,) or any French hood, or Bonet of veluet with any habiliment, paste, or edge of golde, pearle, or stone, or any chayne of golde about her necke, or in her partlet, or in any apparell of her bodie, shal haue, keepe and mainteine as is aforesaid, one stoned trotting horse for the Saddle, vpon paine of forf. for euery time that any of them shal want by the space of thre moneths one stoned trotting horse of the age and height aforesaid xx.li. to the Q. & A. to be recouered by A. J. & c. wherein no W. & c. E. P. & c. But heires within age being wardes, whose landes, tenements, and hereditaments amount to the perely value of CC.li. shal not be compelled by this act, vntill they come to their full age, to keepe any horses, although their wiues weare any gowne of silke, or any french hood, or bonet of veluet with any habiliment, paste, or edge of golde, perle, or stone, or any chaine of gold about their necks in their partlets, or in any apparell of their bodies. 33. W. 8. 5. And euery person chargeable by this Stat. by reason of his wiues apparell to keepe a stoned trotting horse, shal also keepe & mainteine one Gelding able and meete for a light horseman, with sufficient harneis and weapō for the same, in such maner, as he that may dispend one hundred markes by the pere, is chargeable to keepe. 4. and 5. W. & M. 2. S. Armour. 2.

The sonne and
heire of a No-
ble man,

12 ¶ If the sonne and heire apparant of any Duke, Marques, Earle, Vicount, or Baron, or of any other person hauing lands & c. to the perely value of vi. hundred markes or aboue, hath landes, tenements, hereditamēts, fees, offices or annuities, for terme of life in his owne right, or his wiues, to the cleere perely value of v. C. markes, then he shal keepe and mainteine one trotting stoned Horse for the saddle in forme aforesaide, vpon paine of forfeiture of xx.li. for euery thre Moneths that hee shal want the same Horse. But no such sonne

sonne and heire is compellable by force of this Act, to find or keepe a ny horse in the life of his father, except he hath lands, tenements, annuities, fees, or offices, to the sayde peere value of five hundred Marks. But no person shalbe impeached or troubled for any offence done contrary to this Acte by A. J. P. or Certificate of the Sherife, vnles the same be made within one peere next after the offence committed. 33. H. 8. 5.

Within what time the offender shalbe impeached.

13 ¶ If any of the forsaide horses happen to be killed, maymed, or lost in the Queenes seruice, the owner is at liberty at any time by the space of two yeeres next after such chance to prouide other in their steade, without any penaltie. 33. H. 8. 5.

If the horse be killed in the Queenes seruice.

14 ¶ If any person doe sell, exchange, giue, conuey, or deliuer in to the Realme of Scotland, to the vse of any Scottish man, or into any place beyonde the Sea, out of this Realme or the dominions of the same, any Horse, Gelding, or Mare, without speciall licence thercof obtained of the Queene, or of her heires, vnder the great seale, or priuie signet, or if any person doe sel, exchange, giue or deliuer, to any Scottishman within this Realme of England, or Wales, the towne of Berwicke or the Marches of the same, to the intent to be conueyed into Scotland, any Horse, Gelding or Mare, or doe conuey or carry any Horse, Gelding or Mare, into any forreine partes beyonde the sea, without like speciall licence obtained of the Queene or of her heires, vnder the great seale, or priuie signet, then the same person shall forfeite to our Soueraigne Lady and her heires the same Horse, Gelding, or Mare, so carried or conueied, and shall also lose xl. li. for euery such Horse, Gelding, or Mare so conueied, to the Queene and Informer, to be recouered by A. J. &c. wherein no W. &c. E. P. &c. And also euery person so offending, shall suffer imprisonment by the space of one whole yeere. And it shall be lawfull to euery person being the Queenes Subiect, to arrest and imprison euery Scottish man, and euery other person, which shall leade or conuey contrary to the meaning of this Act, any such Horse, Gelding, or Mare, out of this Realme, into Scotland, or into any other forreine place beyonde the Sea, other then such persons as shall haue sufficient warrant from the Queene, or her heires, vnder her or their great seale or priuie signet. But this Acte shall not extende to any person which shall conuey any Horse, Mare or Gelding into Scotland, or into any other forreine parties beyonde the sea to serue the Queene in her warres with the same. 1. Ed. 6. 5. 5. El. 19. S. Felonie. 1. that it is felonie to sell, exchange, or deliuer win Scotlande, or the batable grounde betweene Englande and Scotlande, to the

Transporting of horses into forreine Regions.

Horses and Mares.

use of any Scottish man, any Horse, Mare, or Gelding, or to sell, exchange, or deliver in Englande, Wales, Berwicke, or the Marches of the same, or in the said batable ground, to the intent to be conveyed into Scotland any horse, mare, or gelding without the Queenes licence vnder her great Seale. And in like sort it is felonie to buy the same.

Licences to transport horses, & licences to giue licence.

15 ¶ But if the Queene, her heires or successors, vnder her great seale or priuie signet, doe giue licence to any person, to cary any Horses, Mares or Geldings into Scotland, or into any other parties beyond the Sea, or els doe giue authoritie or commandement to any person or persons by warrant vnder the great seale, to licence any other person or persons to cary or conuey any Horses, Mares, or Geldings into Scotland, or into any partes beyond the sea, then it shal be lawfull aswell to all persons hauing such licence vnder the Queenes great seale or priuie signet, as to euery other person hauing licence in wytyng vnder the Seale of such person or persons to whome the Queene shall giue authoritie or commandement in forme abouesaid, to licence other to cary and conuey such number of Horses, Geldings, or Mares, or any of them into Scotland or into any of y partes beyond the sea, as shalbe mencioned in any such licences. 1. Ed. 6. 5. 5. Cl. 19.

Licence sheweth to the wardens of the marches.

16 ¶ Euery such person which shalbe licenced according to this Act to cary or conuey any horses, mares or geldings, into Scotland, shal before the same cariage or conueyance, vpon the paine of forf. of the said horse &c. or the double value therof to the Q. & J. &c. shew his said licence to one of the thre wardens of the thre marches of England, to the intent that one of the said wardens shall cause the number of the said horses &c. so licenced to be conueyed into Scotlande, not onely to be kalendred in a booke, to remaine in his owne custody, But also to be indorsed and written on the backside of the said licence, and the same indorsement to be signed with the hand of the saide warden. 1. Ed. 6. 5. 5. Cl. 19.

Warden of the v. ports.

17 ¶ But this Act shall not be preiudiciall to the matter of the Queenes Horses for such things and commodities as shall concerne his office, And notwithstanding this Act, the warden of the v. Portes may yerely at his pleasure giue vi. horses or geldinges (and no more within one yere, at one or diuers times vpon like paine as is aforesaid) to any person or persons in the parties beyond the Seas, being in amitie with the Queene, or her successors. And it shalbe lawfull to any of the Queenes Subiectes, to cary or sende into any partes beyond the sea any Mares, whereof the price of any one Mare so to be carried

Mares of r. s. price may be transported.

ried

ried doeth not exceede x.s. in such maner as Hares being of the prices of vi.s.viii.d. bene or might haue bene conueyed ouer the seas before the making of this Act (vz. per stat. 11. Henrici septimi. 13.) any thing in this Act, or any other Act &c. notwithstanding. 1. Edw. 6. 5. 5. El. 19.

1 How many great horses & geldings eche man is chargeable to keepe by reason of his lands or goods, S. Armour. 1.

2 Concerning selling of horses, appointing a place, and paying tolle for them in a faire or market S. Faires. 4. 5. 6.

3 That the Sherifes shall enquire and certifie the faultes of those which doe want stoned trotting horses, S. Sherifes. 25.

Hospitales.

The Bishoppe of euery Dioces or his Chauncellour for the time being, shall peerely visite all Hospitales in the dioces of such bishop where no visitor by the founder is appointed, if the founder of the said Hospitall be then dead, and take order that the said Hospitals be ordered and vled according to the statutes and ordinances of the foundation thereof. And if the founder be then liuing, the said founder to visite the same during his life, without any the Bishops visitation, and the same visitation to be at the only costes of the visitors and not of the Hospitall. And it shal be lawfull to the Bishoppe &c. or his Chauncellour, vpon complaint, or other intelligence of iust cause, to take accompt how the rents, reuenewes, and profitess of any such hospitall haue bene bestowed, to call before him or them at the said hospitall to accompt all such persons as haue had the collection or receipt of any the said rents, issues, reuenewes or profitess. And if any person so called shall refuse to accompt, or entring into accompt, shal refuse to proceede & finish the same, or vpo the finishing thereof, shal refuse forthw to answere to the vse of the said hospital, such summe of money, as vpon the same accompt shal appeare to be due by him, then hee refusing shall forfeite such summe of money as to the saide Bishoppe or Chauncellour, and to two Iustices of the peace next inhabiting to the said Hospitall shalbe thought meete, to which accomptes the saide Bishop or Chauncellour, shall call the same two Iustices of peace. 2. H. 5. 1. 14. Eliz. 5. 18. Eliz. 3. to continue from 15. Marcii. Anno. 1575. vntill the end of vii. yeres then next ensuing, and from thence vntill the end of the next Parliament.

Visitation of hospitals and calling the collectors to account.

Huy and crie.

Fresh suite.

Immediatly after any felonies and robberies be committed, fresh suite shalbe made from towne to town, and from countrey to countrey: And enquestes shalbe taken (if neede be) by him that is chiefe Lozde of the towne, and after in Hundreds, Franchise and in the countie, and sometime in ii. iii. or iiij. counties in case where felonies be committed in the Marches of Shires, so that offenders may be attainted and suffer punishment. And if the countrey wil not answere for the bodies of such offenders, the people dwelling in euery such countrey shal answere for the robberies done, & the damages, so that the whole hundred, where the robber, shalbe done, with the franchises which be within the same hundreds, shal answere for y^e robberies done. And if the robbery be done in the diuision of two hundreds, then both y^e hundreds, together with the franchises within the precinct of them, shall answere: And the countrey shal haue no longer time after the robbery & felony committed but xl. daies. (28. Ed. 3. 11.) within y^e which they must agree for y^e robbery and offence, or els they shalbe answerable for the bodies of the offenders. Winchest. 13. Ed. 1. 1. 2.

The countrey shall answere, if the robbers be not taken within fourty daies.

The inhabitants of a hundred where fresh suite shall cease, chargeable with halfe the damages recovered for a robbery.

The Clerke of the peace shall prosecute the suite.

2 The Inhabitants & Reliants of euery or any such hundred, (with the franchises within the precinct thereof) wherein negligence, fault, or defect of pursuit & fresh suit after huy & crie made, shal happen to be, shal answere & satisfie the one moitie or halfe, of all & euery such summe & summes of money and damages, as shal by force and vertue of the said statutes (viz. of 13. Ed. 1. & 28. Ed. 3.) or either of them, bee recovered or had against or of the said hundred, with the franchises therein, in which any robbery or felony shal at any time hereafter bee committed or done: And the same moitie shal and may be recovered by Accion of debt, bill, plaint, or Information, in any of the Quenes courts of record at Westm. by and in the name of the Clerke of the peace for the time being, of, or in euery such county within this realme, where any such robbery and recovery by the partie or parties robbed, shall be, without naming the Christian name or surname of the saide Clerke of the peace. Which moitie so recovered, shalbe to the onely vse and behoofe of the Inhabitants of the saide hundred where any such robbery or felonie shall bee committed or done. 27. El. 13.

The Clerke of the peace commencing a suite doth die or is remoued.

3 If any Clerke of the peace, of, or in any County within this realme, shal at any time hereafter commence or preferre any such suit, Accion or Information, and shal after the same so sued, commenced or preferred, happen to die, or to bee remooued out of his office, before recovery and execution had, yet no such Accion, Suite, Bill, Plainte, or Information, sued, commenced, or preferred, shall

shall by such displacing, or death, bee abated, discontinued or ended, But it shall and may be lawfull to and for the Clarke of the peace next succeeding in the said Countie, to prosecute, pursue and followe all & every such A. Bill, Plaint, Suite, and Information for the causes aforesaid, so hanging and depending, in such maner and forme and to all intents and purposes, as that Clarke of peace might haue done, which first commenced or preferred the said Suite, Bill, Plaint, or Information. 27. El. 13.

4 And although the whole hundred, where such Robberies & felonies are committed with the Liberties, within the precinct thereof are by the said two former statutes charged with the answering to the partie robbed, his dammages: yet neuerthelesse, the Recouery and execution, by and for the partie or parties robbed, is had against one or a very fewe persons of the said inhabitants, and bee, and they so charged, haue not heretofore by lawe, had any meane or way, to haue any Contribution, of, or from the residue of the saide hundred, where the saide Robberie is committed, to the great impouerishment of them, against whom such recouerie or execution is had. For remedie whereof, Be it enacted &c. that after execution of dammages by the partie or parties so robbed, had, It shall and may be lawfull (vpon complaint made by the partie or parties so charged) to and for two Iustices of Peace, (whereof one to be of the Quorum) of the same Countie, inhabiting within the said hundred, or neere vnto the same, where any such execution shalbe had, to assele and take ratably and proportionably, according to their discretions, al and euery the Townes, Parishes, Villages, and hamlets, aswel of the said hundred where any such Robberie shall bee committed, as of the liberties within the said hundred, to and towards an equall contribution to bee had and made, for the reliefe of the said inhabitant or inhabitants, against whom the partie or parties robbed, before that time, had his or their execution. And that after such Taxation made, the Constables, Constable, headboroughs, or headborough of euery such Towne, parish, Village & hamlet, shall by vertue of this present act, haue full power and authoritie within their seuerall limittes, ratably and proportionably, to take and assele according to their abilities, euery inhabitant and dweller in euery such Towne, Parish, Village, and Hamlet, for and towards the payment of such taxation, & asselement, as shal be so made vpon euery such Towne, Parish, Village and Hamlet, as aforesaide by the sayde Iustices. And if any Inhabitant of any such Towne, Parish, village, or Hamlet, shall obstinately refuse and deny to pay the saide Taxation and asselement so by the said Constables, Constable, Headboroughs,

20 remedie for those against whom recouery and execution is had to haue contribution of the residue of the hundred.

Huy and Crye.

or headborough taxed and assessed, then it shall and may be lawfull to and for the said Constables and Headboroughs, and euery of them within their seuerall limits and Iurisdiccions, to distreine all and euery person and persons so refusing and denying, by hisse their goods and chattels, and the same distresse to sell, and the money thereof coming to retaine to the vse aforesayde. And if the goods or chattels so distrained and sold shalbe of more value then the saide Taxation shall come vnto, then the residue of the said money ouer and aboue the said Taxation, shall be deliuered vnto the said person or persons so distrained. 27. El. 13.

The Constables shall deliver the contribute money to the Justices and they to the parties.

5 **A**ll and euery the sayd Constables and Headboroughs, after that they haue within their seuerall Limittes and Iurisdiccions leuied and collected their sayde Rates and summes of money so taxed, shall within tenne dayes after such collection, pay and deliuer the same ouer vnto the sayde Justices of peace, or one of them to the vse and behoofe of the sayde Inhabitant or Inhabitanter, for whom such rate, Taxation, or Assessement shall bee had or made as aforesaid: which money so payed, shall by the Justices or Justice so receiuing the same, be deliuered ouer (vpon Request made) vnto the said Inhabitant or Inhabitanter, to whose vse the same was collected. 27. Eliz. 13.

Leuying of contribution in the hundred where default of pursuite shalbe.

6 **A**nd the like Taxation, Assessement, leuying by distresse and payment, as aforesaide, shall bee had and done within euery hundred where default or negligence of pursuite and fresh sute shall bee, for and to the benefit of all and euery Inhabitant or inhabitantes of the same hundred, where such default shall bee, that shall at any time hereafter by vertue of this present act, haue any damages or money leuyed of them, for or to the payment of the one moytie or halfe of the money recouered against the said hundred, where any robberie shall be hereafter committed. 27. El. 13.

No penaltie where any of the offenders be apprehended.

7 **P**rovided, that where any robberie is, or shall be hereafter committed by two, or a greater number of malefactours, and that it happen any one of the said offenders to be apprehended, by pursuite to be made, according to the said former mencioned lawes and statutes, or according to this present act, that then and in such case, no hundred or franchise, shall in any wise incurre or fall into the penaltie, losse, or forfaiture, mencioned either in this present Act, or in any the said former statutes, although the residue of the sayde malefactours shall happen to escape, and not to be apprehended: Any thing in this statute, or in the saide former Statutes, to the contrary, notwithstanding. 27. El. 13.

8 **P**rovided

8 **¶** Provided also, that no person or persons hereafter robbed, shall take any benefite by the vertue of any the said former statutes to charge any hundred, where any such Robberie shall bee committed, except hee or they so robbed, shall commence his or their sute, or Accion within one yeere next after such Robberie so to be committed.

27. El. 13.

9 **¶** No huy or Crye, or pursuite hereafter to be done or made by the Countrey or Inhabitautes of any hundred, shall bee allowed and taken to bee a lawfull huy and cry or pursuite, vpon or after any the said felons or offenders, except the same huy and crye and pursuite be done and made by horsemen and footemen. Any vsage or custome to the contrary notwithstanding. 27. El. 13.

10 **¶** No person or persons, that shall hereafter happen to bee robbed, shall haue or maynteine any Action, or take any benefite by vertue of the saide two mencioned Statutes, or either of them, except the said person or persons so robbed, shall with as much conuenient speede as may bee, giue notice and intelligence of the sayde felonie or robberie so committed vnto some of the inhabitants of some Towne, Village or Hamlet, neare vnto the place where any such Robberie shall be committed: Nor shall bring or haue any Action, vpon or by vertue of any the Statutes aforesaide, except he or they shall first within twentie dayes next before such Action to be brought, be examined vpon his or their corporall othe, to be taken before some one Iustice of the Peace of the Countie, where the Robberie was committed, inhabiting within the saide hundred where the Robberie was committed, or neere vnto the same, whether hee or they doe knowe the Parties that committed the sayde Robberie or any of them. And if vpon such examination, it bee confessed, that hee or they doe knowe the Parties that committed the sayde Robberie, or any of them, then hee or they so confessing, shall before the sayde Accion bee commenced or brought, enter into sufficient bonde by recognisance before the sayde Iustice, before whom the said examination is had, effectually to prosecute the same person and persons so knowne to haue committed the said Robberie, by indictment or otherwise, according to the due course of the lawes of this Realme. 27. El. 13.

11 **¶** That Huy and Crye shall bee leuyed and pursued against him which wyll not obey the watch in the night, See Watch, 1.

The sute shall be commenced within a pere after the Robberie.

The pursuite must be by horsemen and footemen.

Notice of the Robberie to some dwelling neere where it was done.

The partie robbed examined before a Iustice and bound to prosecute the offenders.

Hunters, Hunting.

None shall
hunt but
which hath
sufficient li-
ving.

If any Artificer, Laborer, or other lay man which hath not lands or tenements to the value of xl. shillings by the yeere, or if any priest or Clerke which hath not lyeing to the value of tenne pounce by the yeere, will haue or keepe any Greyhound, hound, or other dogge for to hunt, or will vse firrets, heyes, nettes, Hareppes, Cordes or other engines for to take or destroy Deare, Hares, conies, or other gentle- mens game, he shalbe imprisoned by the space of one whole yeere. 13. R. 2. 13. S. Iustice of peace. 36.

Tracing of
Hares.

2 If any person doth trace, destroy, & kill any hare in the snow with dogge, bitch, or other wise, he shall forf. for euery hare so killed vi. s. viii. d. 14. H. 8. 10. S. Iustices of peace. 37.

Buckstalles.

3 If any person hauing no Parke, Chase or forest of his owne, doeth keepe or cause to bee kept any nettes called Deare hays or Buckstalles; he shall forsaite for euery moneth that hee keepeth the same, x. li. to any person that will sue for the same by A. of debt, where- in no W. & C. P. & C. 19. H. 7. 11. S. Forests, Iustices of peace. 35.

Stalking.

4 Whosoever doeth stalke or cause any other person to stalke in any bush or beast, to any Deare being in any Parke, chase, forest, or without (but in his own ground, Forest, Chase, or Parke,) without licence of the owner, master of the game, or keeper of the same ground, Forest, chase or parke, shall forsaite for euery time that he or they stal- keth, tenne pound, to any person that will sue for the same by Accion of debt, whetein no Wager, & C. P. & C. 19. Hen. 7. 11. S. Forests, Iustices of peace. 35.

1 That vnlawfull hunting in Parkes, Warrens &c. and denying the same, is felony. S. Felony. 24.

2 That no person shall hunt where any eared or coddled corne shalbe standing. S. Fesants. 4.

Husbandrie and Tillage.

Mainteining
of houses
whereunto xx.
acres of land
belong.

Every owner that hath any house, which at any time heretofore sithence the first yeere of king H. 7. haue or hath had, or hereafter shall haue xx. acres of ground to the same house lyeing or belonging, or with the same house commonly occupied or vsed, the content of e- uery which acre shalbe taken & rated after the measure limitted in the treatise de terris mensurandis (although the same ground hath not bene, is, or shall not be al wholly vsed as arable land, and put in tillage, but some part thereof) shall keepe, sustaine, and maintaine houses and buyldings vpon the sayd ground and land, conuenient and necessary for the maintaineing and vpholding of the sayde tillage and husban- drie.

S. waights &
measures. 5.

die. And if any owner of any such house or land, do occupy such house or land in his owne handes, he shall keepe and maintaine houses and buyldings vpon the same ground, and land conuenient and necessary for the maintaining and vpholding of the sayd tillage and husbandry.

4. H. 7. 19. 5. El. 2.

2 **W**hosoeuer hath any house of husbandry with xx. acres of land, or more belonging or lying thereunto, or with the same commonly occupied, vsed, or demised, shall not seuer the sayd land nor any part thereof from the said house, vntlesse the same bee kept in tillage, or otherwise for the profite of husbandry, according to the nature of the ground or custome of the manors where the same land shall so be, except he shall lay and assigne to the saide house, or to any other house or houses within the saide parish or Lordship, or within two myles of the sayd houses, being not also bound to be vpholden and maintained by the foresaide statute of 4. H. 7. as much other land within the same parish or Lordship, or within two miles, for, and in lieu of such and so much of the former land, as ought by the said statute to haue continued with the former house, and cannot conueniently be returned to the same former house. 5. El. 2. 27. El. 11.

Land shall not be seuered frō hōse wherū into it belongeth.

3 **I**f any such house of husbandry and land bee seuered the one from the other, by reason of any lease or leases for terme of life, liues or peeres, made or graunted before 1. Januarii An. Do. 1563. then whensoeuer the sayde lease or leases shall determine by any maner of meanes, so as the same house and lands thereunto belonging shall be discharged of all such leases, the same house and landes so demised shall not be afterward seuered the one from the other, but shall goe, be kept, and occupied together at all times after, according to the declaration before mentioned, except by the returning or reuniting of the same land to the said house, there shall or may growe any manifest decay of any other houses newly edified, or of any other farmes that haue bene by meanes of distribution or seuerance of the same lands or any part thereof, made or assigned to be seueral tenements or holds. 5. El. 2. 27. El. 11.

Land seuered from the house by lease, shalbe reunited, & lease being expired.

4 **A**ll townes, villages, boroughs, hamlets, tithing houses, and other habitations in any parish within this realme, whereof the more part 12. die Nouemb. An. 7. H. 8. being An. Dom. 1515. were vsed to tillage, and husbandry, and by the owners thereof for their singular lucre &c. wilfully sicthence the same day, be or hereafter shalbe suffered, or caused to decay, and fall downe, whereby the husbandry of the same townes, villages &c. bene or shalbe decayed, and turned from the vse of husbandry and tillage, into pasture, shalbe by the owners, their heirs, successors,

Repairing of decayed townes or houses of husbandry.

Husbandry & Tillage.

successors, or assignes, or other for them, at their charges, within one yeere next after such wilful decay, reedified, and made againe meete and conuenient for people to dwell in the same, and therein to exercise husbandry and tillage, as at the sayde xii. day of Nouember or sithence was vsed there, after the maner of the countrey where the sayd land lyeth. 7. H. 8. 1.

Conuerting of tillage into pasture whereby any house of husbandry is decayed.

5 ¶ If sithence the sayd xii. day of Nouember, Anno 7. H. 8. any landes, which at the same day, or sithence, were commonly vsed in tillage, be inclosed, & from henceforth shalbe inclosed, be turned onely to pasture, whereby any house of husbandry within this realme, is or hereafter shalbe decayed, then all such landes shall bee by the sayde owner, his heires, successours, or assignes, or other for him within one yeere next ensuing the same decay, put in tillage, and occupied in tillage and husbandry, as they were the same xii. day, or any time sithence, after the maner of the countrey where such land lyeth. But this act shall not extend to any parke for deare, made or to bee made, or to any marsh for walling or inclosing, or for any landes contayned in the same. 7. H. 8. 1.

The same tillage decayed shalbe eared againe or so much other.

6 ¶ If at any time sithence the xii. day of Nouember An. 7. H. 8. and before the feast of Saint George An. 20. H. 8. any landes belonging to any house of husbandry, haue bene turned from tillage to pasture by any person, then the same landes, or so much other landes within the same parish, lordship or manor, that heretofore was not bound by any lawe or statute to be kept in tillage, was, or ought to haue bin turned againe into tillage within one yeere next after the Session of the Parliament begunne xii. Ianuarii An. 5. El. and shall bee kept in tillage for euer, according to the custome of the Countrey, and nature of the soyle, whether the said house whereunto the said landes did belong, be decayed or not, or whether the said land were inclosed or not, or whether some part thereof and not the whole were kept in tillage or not. 5. El. 2. 27. El. 11.

The penaltie for the offences comprised in the former 6. branches.

7 ¶ If any owner do contrary to the premisses, or any of them, it is lawfull for the Queene (if any such landes or houses bee immediately holden of her, after the same shalbe found by office or verdict) or to any other Lord of the fee of whom the said landes or houses be immediately holden, to receiue peerely halfe the value of the issues and profits of such landes &c. And for the same to distraine, and the same to keepe to her, his, or their owne vse, without any thing theretofore to be giuen, or payed, vntill such time as the same shalbe sufficiently repaired, the said pasture conuerted into tillage, and euery of the former offences reformed &c. But no freehold or tenure shalbe in y^e Queene,

or other Lord, neither shall any Lord lose his tenure, service or other right of and in the same. And if the Lord immediat doe not take his benefite, within one yere, the Queene after office found shall haue the same. 4. H. 7. 19. 7. H. 8. 1. 27. H. 8. 22.

8 ¶ This statute of 4. Hen. 7. is not prejudiciall to any Infant within the age of xxi. yeres, nor to any person out of the Realme, for any issues to be leuied &c. as long as they shalbe within age, or out of the Realme. And also the saide act of 27. H. 8. extendeth onely to the owners of landes in the Counties of Lincolne, Nottingham, Leyster, Warwicke, Rutlande, Northampton, Bedford, Buckingham, Oxford, Barkshire, the Isle of Wight, Worcester, Hereford, and Cambridge, and not to any others. 27. H. 8. 22.

No Infant or person beyond the sea presumed.

The shires touched by 27. H. 8.

9 ¶ All persons to whom King H. 8. or any of his heires or successours, heretofore sithence 4. Februarii An. 27. of his raigne, haue giuen, graunted, letten, or demised, or hereafter shall giue, graunt, let, or demise, any Scite or precinct, with the houses thereupon buylded, together with the demesnes of any monasteries, priories, or other religious houses that were dissolued or giuen to the sayde King by the act made Anno 27. H. 8. (viz. such as had not in landes, tenements and hereditaments, aboue the clere yerele value of £.li.) and the heires, successors and assignes of euery such person are bounde to keepe, or cause to be kept an honest continuall house and houtholde in the same Scite or precinct, and to occupy yerele as much of the demesnes in plowing and tillage of husbandry, as then were commonly vsed to bee kept in tillage, by the gouernours, Abbots, or Priors of the same houses, monasteries, priories, or by their farmour or farmours occupying the same, within xx. yeres next before the same statute, vpon paine to forfait to the Queene for euery moneth offending to the contrary vi. li. xiii. s. iiii. d. to be recouered to her vse, in any of her courts of record. 27. H. 8. in a statute not imprinted. 5. El. 2.

Hospitalitie and tillage in Scites of monasteries.

10 ¶ All such landes and grounds, or so much in quantitie, as in any towne, village, hamlet, Lordship, place knowen, or parish within England or Wales, haue bene eared, plowed, or put in tillage by the space of iiii. yeres any time sithence the feast of S. George the Martyr in Anno 20. H. 8. other then the demesnes of the forsayde monasteries &c. shalbe eared, ploughed, vsed, and kept in tillage for euer, according to the nature of the soyle and custome of the Countrey, by the occupier, or occupiers thereof without collusion, vpon paine that euery offender contrary to this act, shall forfait yerele for euery acre &c. which forfeiture shall go and be to such person and persons as be next in reuerston or remainder thereof, for terme of life, liues, or in taile,

What land shall be kept in Tillage, and vpon what paine.

Husbandry & Tillage.

taille, their executors or administratours. And it shalbee lawfull for him or them to leuie the same forsaite of x.s. for every acre, by distress, and to iustifie, or make their auowies or cognisances for the same, in such maner and forme, as any person or persons may doe for rents reserved vpon estates made for terme of yeeres of any landes or tenements, or otherwise shall and may sue for the same forsaiture by A. of Debt, B. P. or J. in any of the Queenes &c. courtes of recorde, wherin no W. &c. E. P. &c. And if they or any of them doe not distraine, or otherwise claime, or demaund the said penaltie, by any the meanes aforesaid, within one whole yeere next after the offence done in fourme aforesaid, and pursue for the same with effect, without fraude or couin, and doe not recouer (and might haue recovered the same) with such speede as may be, by the due order of the lawe: Then after such default, it shalbe lawfull for him or them to whom the reuersion or remainder, or the fee simple of the said land shall appertaine, their executors or administratours to distraine, auowe, or make cognisance, & iustifie, or otherwise to sue for the said forsaiture in forme aforesaid, at any time within one yeere next ensuing any such default. And in his or their default, the sayde forsaiture to goe and bee to the immediat Lord or Lordes of the fee or fees of whom the said landes bene holden, to be recovered in maner and forme aforesayde, so that he or they do take and sue for his or their remedy therein within one yeere next ensuing any such default, in manner and forme aforesaide, And in his or their default the said forsaiture to goe and bee to the Queene, her heires and successours, to be recovered by any of the meanes aforesayde, at any time at her pleasure, or otherwise to any other person that will sue as well for the Queene &c. as for himselfe, for the same forsaiture, vpon which suit the one moytie shall goe and bee to the Queene &c. and the other to the Informer to bee recovered by Accion, Information &c. wherein no W. &c. E. P. &c. and if any person or persons being an occupior, and owner of any such lands and grounds as is aforesaide, of any estate of inheritance, shall offend against the forme of this act, then the said forsaiture shall goe and be to the next immediat Lord or Lords of the fee, or fees thereof, his or their executors or administratours, to bee recovered by such wayes and meanes, as before is limited, so that he or they doe pursue, and take their remedy for the same in forme aforesaide, within one yeere next after such offence committed. And if any such occupior and owner shalbe a copiholder, or a customarie tenant, then the saide forsaiture to goe and be to the Lord or Lordes of the manor, of whome the saide copie or customarie tenementes bene holden, their executors or administratours, so that he or they do pursue
sue

sue and take their remedy for the same in such manner and forme, and within the time last before limited. And in every such default of the said Lord or Lords of the fee or fees, and of the Lord or Lordes of the said manor or manors, as is aforesaid, or of any of them, the sayde penalties and forfeitures to goe, and be to the Queene, or to the Queene and Informer &c. to be rec. by A. J. &c. wherein no W. &c. E. P. &c. 5. El. 2. 27. El. 11.

11 **T**his act shall not bee prejudiciall to any person that hath, or shall turne any grounde from Tillage or pasture, and shall keepe such grounde in pasture whole, and not converted into Tillage, for the onely maintenance and keeping of his owne Horses, Geldings, Mares, Draught Oxen, or for the maintenaunce or keeping of Kine, or other Cattell, for the onely victuals to be spent in his owne house, so that the same person hath not, or shall not haue in his possession, occupation, or disposition, other sufficient pasture grounde for that purpose within five miles of his mansion house. But if it shall fortune any such person to bee absent, and not resident at or vpon his vsuall mansion house with his familie, by occasion of seruice or attendance to be done by him, by the expresse commandement of y^e Queene, her heires or successours within the realme, or without, or els hauing two or thre dwelling houses, shal bee resident with his family at one of them, or shall bee within age, then during the time of such seruice, attendance, minority, and absence (and one yere next after) from any his said dwelling houses, or during the time that he shall bee resident with his familie, at or vpon one of them, hee shall or may keepe such grounde in pasture or medowe, belonging or vsually occupied with any of the said two or thre houses (and with no moe or others) in his owne handes, or let it out to any other person without incurring any danger, so that the same person do keepe the same mansion house unletten, and in good and sufficient reparations, and meete for him to resort vnto at all times for his dwelling. 5. El. 2. 27. El. 11.

For what causes tillage may be converted into pasture.

In what case he that is absent from his dwelling house may convert tillage into pasture.

12 **B**ut every person that doeth commonly feede, and peere sell beeuies or muttons, to a greater number then hee doeth spend in victuall in his house, or which is a common grafter, or sheepe master, of beeuies or muttons, to bee commonly solde in markets or faires, or a common butcher, is within the daunger of this statute. 5. Eliz. 2. 27. El. 11.

Common graziers of cattell to be solde may not convert tillage into pasture.

13 **T**his act shall not extend to any lawfull Parke or Parkes, or ancient warrrens, now vled with Deare or Conies, or to Parkes heretofore lawfully vled as Parkes, and being disparked, or to any other groundes, that heretofore haue bene by the Queenes progeni-

Tillage converted into pasture, and permitted by this statute.

Husbandry & Tillage.

toys or hereafter shalbe made Parkes or Warrens, by licence of the Queene, her heires or successours, with sufficient clause of dispensation for conuerting of tillage into pasture, and bee or shalbe layd, bestowed, and imployed to the maintenaunce and keeping of Deare, or Conies, without fraud, and not to the feeding or keeping of any other Cattell or beastes, but onely milche kine, for the owner or owners, or his or their keeper of such Parke or Warren for the prouision of his or their house or houses, or for the keeping of his or their Horses, Geldings, Hares, Coltes, or Swine, Neither shall it extend to any waste groundes, commons, heathes, downes, fennes, moores, commonly vled as common, nor to any heathes, fennes, moores, marishes being vled now in seueraltie, and not commonly vled to bee sown and put in tillage, since the feast of S. George. Anno 20. H. 8. nor to any fresh marshes surrounded with water, within sixe yerres next before the first day of the saide Parliament (being the xii. day of Januarie, Anno Do. 1563.) Nor to any Orchard, Garden, Poole, or Pondyard, nor to any ground set or sown with Saffron, Hops, Garlike, Onions, Flaxe, Doe, or Hadder, or sown with Acornes, or set with any kind of yong woods, nor to any wood grounds, which are not stubbed, or wherein the wood hath bene felled or shalbe felled, and the rootes and stubbes thereof yet remaine vndigged by. Nor to any medowes, or other grounds accustomably vled to bee mowen for hay once in the yeere at the least, during such time as all and euery of the same shall bee vled or put to the vles or intentes before specified. Neyther shall this act compell any person to continue or put in Tillage any pasture, heath, waste, or barren ground, which hath not bene heretofore commonly vled to bee eared or tilled for corne, though the same person, to the intent to amend and better the ground, and not to vse the same for Tillage, hath at any time heretofore, or any time hereafter shall turne or put the same into tillage, and hath or shall keepe the same in Tillage, for the space of iiii. yeeres together. Neither shall this act extend or be prejudicial to those parts or porcions of groundes wherein any Ore of Lead, Tinne, Iron or Coales, commonly called Sea cole, Stone cole or Hooze cole, haue bene, are, or hereafter shall bee vsually gotten, by meanes whereof the same grounds cannot conveniently be put in Tillage, Neither shal this act compell any person to put in Tillage any landes or grounds within any Forest or chace (except the Forest of Snowden in North-wales) otherwise then before the making of this statute hee was bounde to doe, nor to compell any Inhabitant of the Counties of Northumberland, Westmerland, or Cumberland, to reedifie, maine-
taine

aine or keepe in manurance any house or ground that shall bee overthrowen, burned, destroyed, wasted, or decayed by enemies, or by occasion of warres, or Inuasions, during the warres, or within foure yerres after the conclusion of peace next following such overthrowing &c. 5. El. 2. 27. El. 11.

14 ¶ But this act doeth not giue libertie to any person which at any time sithence the sayd feast of S. George hath conuerted, or hereafter shall conuert or imploy any more ground to the keeping of Conies (not being a lawfull warren) then v. acres at the most, and the same to be within one mile of his dwelling house, and also not hurtfull to the Coyne of any person, but of the owner of the same ground, so that he must put in Tillage as much or as many acres of his owne ground lying within the sayd Lordship, manor or parish, as the sayde Conigry shall containe aboue the said number of v. acres, which hath not bene heretofore lyable to be continued in Tillage by force of any lawe or statute, Anno 5. El. 2. 27. El. 11.

A warren shall be but v. acres within one mile of the owners house, & not hurtfull to other mens Coyne.

15 ¶ The putting of any landes from pasture to Tillage, according to the tenour of this Act, is not any cause of breach or forfeiture of any band, Couenant, payment, or condition made, or hereafter to be made betweene any person, which in any wise is or shall bee repugnant to this acte. And no person shall conuert from Tillage to pasture any ground, which was in Tillage the first day of the parliament begunne 12. Januar. An. 5. El. other then such as hee might lawfully haue conuerted before the making of this Act, An. 5. Eliz. 2. 27. El. 11.

Conuerting of lands into tillage no breach of couenant or band.

16 ¶ If any person shall sustaine any penaltie, forfeiture or losse, for or by reason of any offence committed contrary to the effect of any of the foresaid Actes, hee shall not be estesones vexed, sued, or impeched for the same offence. 5. El. 2. 27. El. 11. And no person or persons shall be sued, vexed or troubled for any offence or offences contrarie to the sayde Statute of. 5. El. for and concerning Tillage, vnles the Information, Accion or Sute, bee or shall bee brought for the punishment of such offence or offences within two yerres next after the sute or accion, or title of action or sute shall be deuolued or accrued to the person or persons that shall so sue or informe against the offender or offenders. And euery information vpon any the sayde Statutes of Tillage to be exhibited for the Queene her heires or successours, shall bee brought within v. yerres after the Accion or Information accrue to her highnesse her heires or Successours. 27. Elizab. 11. to continue till the ende of the next Parliament nowe next ensuing.

He that is once punished shall not be estesones troubled

Within what time sute as gainst the offender shall be commenced.

Icofaile.

1 The duetie of those to whome any commission is directed to enquire of the decay of houses of husbandry and Tillage, S. Commission. 2. 3.

2 Where a husbandman being a housholder may take an apprentice, S. Laborers, 15.

Icofaile.

After issue
there shall be
Judgement
notwithstanding
any Jeofaile
or mispleading.

If any issue bee tryed by the othe of xii. or moze indifferent men for the partie plaintife or demaundant, or for the tenant or defendant, in any accion or suit at the Common lawe of this Realme, in any of the Queenes Courtes of recorde, then the Justice and Justices by whom iudgement thereof ought to bee giuen, shall proceede and giue Judgement in the same, any mispleading, lacke of colour, insufficient pleading, or Jeofaile, any misconuauance or discontinuance, any misconueying of proces, misioyning of the issue, lacke of warrant of attourney for the partie against whome the same issue shall happen to be tryed, or any other default or negligence of any of the parties, their counsailors or Attourneis, had or made to the contrary notwithstanding. And the sayde Judgementes thereof so to bee had and giuen, shall stand in full force to all intentes according to the sayde verdict, without any reuersal, or vndoing of the same, by writ of Error or of false Judgement, in like forme, as though no such default or negligence had neuer bene had or committed. 32. H. 8. 30. 2. Ed. 6. 32.

No stay of
iudgement for
lacke of forme.

2 **I**f any verdict of xii. men or moze shalbe giuen in any accion, suit, bill, plaint, or demaund in any Court of recorde, the iudgement thereupon shall not be stayed, or reuersed by reason of any default in forme or lacke of forme, touching false Latin, or variance from the register, or other defaultes in forme, in any writ original, or iudiciall, count, declaration, playnt, bill, suit or demaund, or for want of any writ original, or iudicial, or by reason of any imperfect, or insufficient returne of any Shirife, or other officer, or for want of any warrant of attourney, or by reason of any maner of default in proces vpon or after any ayde, pyper or boucher. Nor any such record nor iudgement after verdict giuen shall bee reuersed for any the defectes or causes aforesayd, any law, statute, or blage &c. notwithstanding. But this Act shall not extend to any writ, declaration, or suite of appeale of felony, or murder, nor to any indictment, or presentment of felony, murder, treason, or other matter, nor to any proces vpon any of them, nor to any writ, Bill, Accion, or information, vpon any popular or penall statute, 18. El. 13.

This

All and euery Iesuites, Seminarie Priestes, and other Priests ^{all Iesuites & Priests shall depart out of the Realme.} whatsoeuer, made, or ordeined out of the Realme of England, or other the Queens highnes dominions, or within any of her maiesties realmes or dominions, by any authoritie, power or Iurisdiction, deriued, chalenged, or pretended from the Sea of Rome, (since the feast of the Natiuitie of S. Iohn Bapt. An. primo. El.) shall within xl. dayes next after the end of this present session of Parliament, depart out of this Realme of England, and out of all other her highnes Realmes & dominions, if the wind, weather and passage shall serue for the same, or else so soone after the end of the said xl. daies, as the wind, weather and passage shall so serue. 27. El. 2.

2 **I**t shal not be lawful to or for any Iesuite, Seminarie Priest, ^{No Iesuite or priest shall come into, or remaine within this realme.} or other such Priest, deacon or religious or ecclesiastical person whatsoeuer, being bozne within this realme, or any other the Queens highnes dominions, and heretofore (since the said feast of the Natiuitie of S. Iohn the Bapt. Anno primo. El.) made, ordeyned or professed, or hereafter to bee made, ordeyned, or professed by any authoritie or Iurisdiction, deriued, Chalenged, or pretended from the Sea of Rome, by or of what name, title or degree soeuer the same shall bee called or knowen, to come into, bee, or remaine in any part of this Realme, or any other her highnesse dominions after the ende of the same xl. dayes, other then in such speciall cases and vpon such speciall occasions only, and for such time only, as is expessed in this Act: And if he doe, then euery such offence shall bee taken and adiudged to bee high Treason, And euery person so offending, shall for his offence, bee adiudged a Traytor, and shall suffer, lose, and forfeite, as in case of high Treason. 27. El. 2.

3 **E**uery person which after the end of the same xl. dayes, and after such time of departure, as is before limitted and appointed, shall ^{Receiuing or relieuing a Iesuite or Priest.} wittingly and willingly receiue, relieue, comfort, ayde, or maintaine any such Iesuit, Seminarie Priest, or other Priest, Deacon or religious or ecclesiastical person, as is aforesaid, being at Libertie or out of holde, knowing him to be a Iesuite, Seminarie Priest, or other such Priest, Deacon or religious or ecclesiastical person as is aforesayd, shall also for such offence, bee adiudged a felon without benefite of Clergie, and suffer death, lose and forfeite, as in case of one attainted of felony. 27. El. 2.

4 **I**f any of her maiesties Subiects (not being a Iesuite, Seminarie Priest, or other such Priest, Deacon, or religious or ecclesiastical person as is before mencioned) now being, or which hereafter shall be of, or brought vp in any Colledge of Iesuites, or Seminarie

Iesuites and Priestes.

They which
be in Semina-
ries, shall after
Proclamation
returne and
take the othe.

already erected or ordeyned, or hereafter to be erected or ordeyned in þ
partes beyond the seas, or out of this realme in any foraine parts, shall
not within sixe moneths next after proclamation in that behalfe to be
made in the Citie of London, vnder the great seale of Englande, re-
turne into this Realme, and thereupon, within two dayes next after
such returne, before the Bishop of the Dioces or two Iustices of peace
of the Countie where hee shall arriue, submit himselfe to her maiestie
and her lawes, and take the othe set forth by Act (Anno primo El.)
Then euery such person which shall otherwise returne, come into, or
be in this realm or any other her highnesse dominions, for such offence
of returning or being in this Realme, or any other her highnesse do-
minions without Submission as aforesaide, shall also be adiudged
a Traytor, and suffer, lose and forfeite, as in case of high Treason,
27. El. 2.

Sending res-
pite to any Ie-
suite Priest or
person abiding
in any Semi-
narye.

5 ¶ If any person vnder her Maiesties subiection or obedience,
shall at any time, after the end of the said xl. daies, by way of exchange,
or by any other shift, waies or meanes whatsoeuer, wittingly & wil-
lingly, either directly or indirectly, conuey, deliuer or send, or cause or
procure to be conueied or deliuered to be sent ouer the Seas, or out of
this Realme, or out of any other her maiesties dominions or Terri-
tories into any foraine partes, or shall otherwise wittingly and wil-
lingly peeld, giue or contribute any money or other Reliefe, to or for
any Iesuite, Seminarie Priest, or such other Priest, Deacon or reli-
gious or ecclesiasticall person, as is aforesaid, or to, or for the mainte-
nance or reliefe of any Colledge of Iesuites or Seminarie already e-
rected or ordeined, or hereafter to be erected or ordeined in any þ parts
beyond the Seas, or out of this realme in any foraine partes, or of a-
ny person then being of or in any the same Colledges or Seminaries
and not returned into this realme with Submission as in this Act is
expressed, and continuing in the same realme: Then euery such person
so offending, for the same offence, shall incurre the danger and penal-
tie of premunire, mencioned in the statute of premunire, made Anno
16. R. 2. 27. El. 2.

None shall
send his child
or other, be-
yond þ Seas
without li-
cence.

6 ¶ It shall not be lawfull for any person, of or vnder her highnes
obedience, at any time after the said xl. dayes, during her maicsties
life (which God long preserue) to sende his or her child, or other per-
son, being vnder his or her gouernement, into any the parts beyond
the Seas out of her highnesse obedience, without the speciall licence
of her Maiestie, or of foure of her priue Counsell vnder their handes
in that behalfe first had or obtained (except merchants, for such onely
as they or any of them shall sende ouer the seas, only for, or about his,
her,

her, or their trade of marchandize or to serue as mariners, and not otherwise, vpon paine to forfait and losc for euery such his offence the summe of C.li. 27. El. 2.

7 ¶ Euery offence to bee committed or done against the tenor of this Acte, shall and may bee enquired of, hearde and determined as well in the Court, commonly called the kinges Bench, in the Countie where the same Court shall for the time bee, as also in any other Countie within this Realme, or any other her highnesse dominions, where the offence is or shall bee committed, or where the offender shall be apprehended and taken. 27. El. 2.

Where the offence committed against this Acte, shall be enquired of, heard and determined.

8 ¶ It shall and may bee lawfull, for and to euery owner and master of any Shippe, Barke, or Boate, at any time within the said xl. dayes, or other tyme before limited for their departure, to transport into any the partes beyonde the Seas, any such Iesuite, Seminarie Priest, or other Priest aforesaide, so as the same Iesuite, Seminarie Priest, or other Priest aforesayde, so to bee transported, doe deliuer vnto the Maior or other chiefe officer of the Towne, Port, or place where hee shall bee taken in to bee transported, his name, and in what place hee receiued such order, and how long he hath remained in this Realme or in any other her highnesse dominions being vnder her obedience. 27. El. 2.

Transporting of Iesuites, Priests, &c.

9 ¶ This act, or any thing therein conteyned, shal not in any wise extende to any such Iesuite, Seminarie Priest, or other such Priest, Deacon, or religious or ecclesiasticall person, as is before mencioned, as shall at any time within the saide xl. daies, or within thre dayes after that hee shall hereafter come into this Realme, or any other her highnesse dominions, submitte himselfe to some Archbishoppe or Bishoppe of the Realme, or to some Justice of peace within the Countie where hee shal arriue or land, and do thereupon truely and sincerely before the same Archbishop, Bishop, or such Justice of peace, take the saide othe set forth Anno 1. El. and by wryting vnder his hande, confesse and acknowledge, and from thencefoorth continue his due obedience vnto her highnesse Lawes, Statutes and ordinaunces, made and prouided, or to bee made or prouided in causes of religion. 27. El. 2.

Faouour to Iesuites and priestes vpon their submission.

10 ¶ If it happen at any time hereafter, any Peere of this Realme, to bee indicted of any offence, made Treason, Felony, or premunire by this Acte, hee shall haue his triall by his Peeres, as in other cases of Treason, Felony, or premunire, is accustomed. 27. Eliz. 2.

Triall of a Peere.

11 ¶ If any Iesuite, Seminarie priest, or other priests abouesaid, shall

Iesuites and Priestes.

A Iesuite or Priest weake of bodie, that hee cannot passe out of the Realme.

shall fortune to bee so weake or infirme of bodie, that hee or they may not passe out of this realme, by the time heretn limited without imminent danger of life, & this vnderstood as wel by the corporall oth of the partie, as by other good meanes, vnto the Bishop of the Dioces & two Iustices of peace of the same countie, where such person or persons do dwell or abide: Then, and vpon good and sufficient Band of y person or persons, with suerties of the summe C.C.li. at the least, with condition that he or they shall be of good behauiour towards our Soueraigne Lady the Queene and all her liege people, Then he or they so licenced and doing as is aforesaid, shal and may remaine and be stil within this realme, without any losse or danger to fall on him or them by this act, for so long time, as by the same Bishop & Iustices shall be limited & appointed, so as the same time of abode excede not y space of vi. moneths at the most. And no person or persons, shall susteine any losse, or incurre any daunger by this Act, for the receiuing or maintaining of any such person or persons so licenced as is aforesaid, for, and during such time only as such person or persons shal be so licenced to tarry within this Realme: Any thing conteyned in this Acte to the contrary notwithstanding. 27. El. 2.

Danger in him which concealeth his knowledge of Iesuites and priests.

12 **E**uery person or persons being subiect of this realm, which after the said xl. daies, shal know and vnderstand, that any such Iesuit, Seminarie Priest, or other Priest abouesaid, shall abide, stay, tarry or be within this Realme, or any other the Queenes dominions & countries, contrary to the true meaning of this Act, and shall not discover the same vnto some iustice of peace, or other higher officer, within xii. daies next after his said knowledge, but willingly couceale his knowledge therein: euery such offender shall make fine, and bee imprisoned at the Queenes pleasure, And if such Iustice of peace or other such officer, to whom such matter shalbe so discovered do not within xxviii. dayes then next following, giue information thereof to some of the Queenes priuie counsell, or to the President or Vicepresident of the Queens counsel established in the North, or in the marches of Wales, for the time being: Then he or they so offending shall for euery such offence, forf. the summe of C.C. markes. And such of the priuie counsel, President or Vicepresident, to whom such Information shalbe made, shall thereupon deliuer a note in writing, subscribed with his owne hand, to the party by whom he shall receiue such Information, testifying that such Information was made vnto him. 27. El. 2.

A Iustice of peace not giuing information to the Queenes Counsell.

A note in writing of the Information.

All othes, bonds & submissions certified into the Chancery.

13 **A**l such othes, bonds & submissions, as shalbee made by force of this act as aforesaid, shalbe certified into the Chancery by such parties, before whom the same shalbe made, within iii. monthes after such submission

submission vpon paine to forf. for euery such offence, C. li. to the Q. her heires and successors. 27. El. 2.

14 ¶ If any person so submitting himselfe, as aforesaid, doe at any time within the space of tenn yeres after such submission made, come within ten miles of such place, where her maiestie shalbe, without speciall licence from her maiestie in that behalfe to be obtained in wytyng vnder her hande: Then and from thenceforth, such person shall take no benefite of his said submission, but the same submission shall be voyde as if the same had neuer bene. 27. El. 2.

Restraint from the court, by persons submitted.

Incontinencie.

It is lawfull to all Archbishops, Bishops, and other ordinaries, hauing episcopall iurisdiction, to punish and chastise such Priestes, Clerkes, &c. being within the bounds of their Iurisdiction, as shalbe conuicted before them by examination, and other lawful prooffe (requisite by the lawe of the Church) of adulterie, fornication, incest, or any other fleshly incontinencie, by committing them to warde and prison, there to abide, for such time as shalbe thought to their discretions conuenient, for the qualitie and quantitie of their trespass, & none of the said Bishops or ordinaries shalbe therefore chargeable, of, to, or vpon any Accion of false imprisonment. 1. H. 7. 4.

Spiritual persons punished for incontinencie.

Incumbent.

When the Queene shall make collation or presentation to a benefice in an others right, the title whereupon she groundeth shall be well examined that it be true, and if at any time before iudgement giuen, the title (vpon good information) bee not founde true, or iust, the collation or presentment shalbe repealed, and the Patron, or the possessor which sheweth and prooueth the title to be false, shal haue as many wyttes in the Chancerie, as he will. 25. Ed. 3. 3. And if the Queene doe present to a benefice, which is full of any Incumbent, the Queenes presentee shall not be receiued to such benefice by the Ordinarie, vntill the Queene hath recouered her presentation by proces of lawe, in her owne Court. And if any presentee of the Queenes be otherwise receiued, and the Incumbent put out without due proces, the said Incumbent so put forth may commence his suite, within one yere after the induction or the Queenes presentation. 13. Rich. 2. 1. or at any time after the yeere at his pleasure. 4. H. 4. 21. S. Laps. 3.

The Queene presenting in an others right.

The Queene presenteth to a benefice full of an Incumbent.

The

Indictmentes.

Words not
necessary in
indictments.

The words vi & armis, bz. Cum Baculis, Cultellis, arcubus, & sagittis, or such other like, shall not of necessitie be comprised in any inquisition, or indictment, nor the party indicted of any offence, shall take any advantage by writ of Error, plea, or otherwise, to auoyde any such inquisition or indictment, for that the said words, or any of them, shall not be put in the said inquisition or indictment, but the said inquisitions and indictments lacking the foresaid words, or any of them, shall be taken to all intents as good and effectuell in lawe, as if the said words were in them. 37. H. 8. 8.

Process as
against Indict-
tees in ano-
ther countie.

2 **T**he Justices assigned to heare and determine felonies, may direct their writs through all the counties of England, where neede shall be, to apprehend those which be appealed, indicted, or outlawed of felony in one County, & be dwelling or received in an other County. 5. Ed. 3. 11.

Indictment
of persons
dwelling in
foreign coun-
ties.

3 **U**pon every indictment, or appeale, by the which any of the Queenes liege people dwelling in other Counties then there where the indictment or appeale shall be taken of Treason, felonie, and trespassse, before Justices of peace, or any other having power to take such indictments or appeales, or other Commissioners or Justices in any County, Franchise, or Libertie within England, before any exigent awarded vpon any indictment or appeale to bee taken in forme aforesaid, immediatly after the first writte of Capias vpon every such indictment or appeale awarded and returned, an other writte of Capias shall be awarded, directed to the Sherife of the Countie whereof hee which is indicted is, or was supposed to be conuersant by the same indictment, returnable before the same Justices or Commissioners, before whom he is indicted or appealed at a certaine day, containing the space of iii. moneths from the date of the said last writte, by the which writte of second Capias, it shall be conteyned and commanded to the same Sherife, to take the body of him which is so indicted or appealed, if he may be found within his Bayliwicke, And if he cannot be found within his Bayliwicke, that the Sherife shall make Proclamation in two Counties before the returne of the same writte, that he which is so indicted or appealed, shall appeare before the same Justices or Commissioners in the Countie, Libertie, or Franchise, where he is so indicted or appealed, at the day contained in the said last writ of Capias, to answer to the Queene, or to the partie of the felonie, treason or trespassse, wherof he is indicted or appealed, after which second writte of Capias so serued, & returned, if he which is so indicted or appealed doth not come at the day of the said writte of Capias returned, the Exigent shall be awarded against such indicted

tees or appellees, and euery of them. And if any Exigent be awarded vpon any such Indictment or appell against the foresaid forme, or any outlawry thereupon pronounced, the sayde Exigent and the outlawrie thereupon pronounced, and euery of them shall bee voyde. And the partie against whome such exigent is awarded, or outlawrie pronounced, against the foresaid forme, shall not be endangered in his life, lands, or goods, &c. And euery one which is indicted or appealed in forme aforesaide, after he is acquitted by verdict in fourme of lawe, may haue an Accion vpon the case, against euery Procurour of such indictments or Appales, in which Accion there shalbe like proces, as in an accion of trespass Vi & armis. And if the saide Procurours be attainted, the plaintife shall recouer treble damages. But this Statute extendeth not to indictments, or appeales taken in the Countie of Chester, Nor to any indictment or appeale of Felonie or Treason, taken of any of the Queenes liege people, which at the time of the same felonie or treason supposed, is and was conuersant within the Countie whereof the indictment or appeale maketh mention, but the like proces shalbe made against such indicted or appealed person as hath bene vsed, 8, H. 6. 10. S. Exigent. 5. 6.

Accion against
procurours.

Indictment or
appeale in the
Countie of
Chester.

4 ¶ And if any such indictments taken before any Iustices of peace, or any other hauing power to take such indictments or appeales, or other Iustices or Commissioners in any Countie, Fraunce, or libertie of England, shalbe remoued into the Kings Bench, or els where by Cerciorare, or otherwise, then after such remouing, before any Exigent awarded vpon any such indictment or appeale in forme aforesaid taken, immediatly after the first writte of Capias, vpon euery such indictment or appeale awarded, and returned, an other writte of Capias shalbe awarded, directed to the Sherife of the Countie, whereof he that is so indicted or appealed, is or was supposed to be conuersant by the same indictment, or appeale, returnable in the Kings Bench, at a certaine day, containing the space of three moneths, from the date of the saide last writte of Capias, according to the maner and fourme that the Iustices of peace and other ought to haue done, before such remouing. And if any Exigent bee awarded vpon any such indictment or appeale after such remouing against the forme aforesaid, or any outlawry thereupon pronounced, as well the same Exigent as the outlawry and euery of them be voyde. 10. H. 6. 6.

Proces vpon
an indictment
remoued into
the Kings
Bench.

5 ¶ If a man bee indicted of Felonie before Iustices to heare and determine in their Sessions, the Sherife shall be commanded to attach

Pieces vpon
an indictment
of felonie.

Inholders.

attach his body by writte or precept called a Capias. And if the Sherife returne therein, that the body is not founde, immediatly another writ or precept of Capias shalbe awarded, returnable thre weekes after, and therein it shalbe comprised that the sherife shal seise al his cattels, and safely keepe them until the day of the writte or precept returned. And if the Sherife returne that the body is not found, and the indictment commeth not, the Exigent shalbe awarded, and the cattels shalbe forf. But if he come and peeple himselfe, or be taken by the sherife, or other officer, before the returne of the second Capias, the goods and cattels shalbe saued. 25. Ed. 3. 14.

1 In what sort an ordinarie shalbe indicted of extortion, or oppression. S. Ordinarie. 2.

2 That no Indictor shalbe put in enquestes, vpon the deliuey of the partie indicted. S. Iurors. 3.

3 Where Iustices of peace may charge one Enquest to indict another. S. Iurors. 9. Iustices of peace. 44.

4 For Indictments taken in the countie of Lancaster, or of any person dwelling in another shire. S. Iurors. 17.

5 For indictments taken in another County against any person dwelling in the county of Lancaster. S. Iurors. 18.

6 By what persons, and by whome empanelled, all indictmentes shalbe made. S. Iurors. 7.

7 That Indictmentes taken before Sherifes in their Turnes shal be deliuered to the Iustices of peace, of the same shire. S. Sherifes. 12.

8 That Indictors being sued in spirituall courts, shal haue a prohibition. S. Prohibition. 7.

9 That Iustices of peace may award proces against them which be indicted in the Sherifes Turne. S. Sherifes. 13.

10 For the order of taking Indictmentes in the Sherifes Turne. S. Sherifes. 12.

Inholders.

How an Inholder shall sell hay, otes, licture.

Inholders or Hostlers, shall sell their hay and otes at a reasonable price, and shal take nothing for their Licture. 13. R. 2. 8. And if any Inholder doe take aboue a halfe peny moze for a busshell of otes, then the common price in the market, and that be duely proued, he shal forfeite the quadruple value of that which he hath taken ouer, and that as well at the parties, as at the Queenes suite. 4. H. 4. 25.

Horsebread.

2 **E**very Hostler or Inholder (except hereafter excepted) which maketh horsebread in his house or els where, shall forfeite the

the treble value thereof. 13.R.2.8.4.H.25. But euery Hostler or Inholder, dwelling in any Towne or Village being a Thoroughfare, or common passage within this Realme, and being no Citie, Towne corporate, or market Towne (wherein any common Baker exercising the occupation of baking, which hath bene prentice to the said occupation vii. yeeres, is dwelling) may make within his house, horschread sufficient, lawfull and of due assise, according to the price of graine, any thing mentioned in either of the foresaid statutes, notwithstanding. 32.H.8.41.S. Iustices of peace, 50.

Inrolments.

NO manors, lands, tenements or other hereditaments shall passe, alter or change from one to another whereby any estate of inheritance or freehold shalbe made or take effect in any person or persons, or any vse therof to be made by reason onely of any bargain and sale therof (except the same bargain and sale be made by writing indented, sealed and inrolled in one of the Queenes Courts of Recorde at Westm. or els within the same countie or counties, where y^e same manors, lands and tenements, so bargained and solde lie, or be, before the Custos Rotulorum, and two Iustices of the peace, and the Clerke of the peace of the same countie or counties, or two of them at the least, whereof the Clerke of the peace to be one, and the same inrolment to be had and made within sixe moneths next after the date of the same writing indented. 27.H.8.16.)

Inrolments
of bargain &
sale of lands.

2 The Custos Rotulorum, or Iustices of peace, & Clerke shall take for the inrolment of euery such writing indented before them, where the land comprised in the same writing exceede not the peerely value of fourty Shillings, ii.s. that is, twelue pence to the Iustices, & xii.d. to the Clerke, and for the inrolment &c. where the land comprised doeth exceede the summe of xl.s. in perely value, v.s. that is, ii.s. vi.d. to the Iustices, and ii.s. vi.d. to the Clerke for inrolling the same deede. And the clerke of the peace of euery countie, shall sufficiently inroll in parchment the same writings indented, and shall at the ende of euery yeere deliuer the rolles thereof to the Custos Rotulorum of the same Countie, there to remaine, to the intent that euery partie which hath to doe therewith, may resort to him and see the effect thereof. 27.H.8.16.

The fees for
inrolment in
the countie.

3 But this acte doeth not extend to any lands, tenementes or hereditaments lyng within any Citie, borough, or towne corporate, wherein the Maiors, Recorders, or other officers haue authoritie, or haue

Corporate
townes vsing
to inrol.

Inrolmentes.

haue lawfully vſed to inrol any euidences, deedes, or other wrytings within their precincts and limits. 27. H. 8. 16. For recoueries, deedes inrolled, and releaſes taken and knowledge befoze them, be & remaine of like force to all intents, as any of them were befoze the making of the ſaid act. 34. H. 8. 22.

Inrolmentes
in Lancaſter,
Cheſter, & Dur-
ham.]

4 ¶ From y^e feaſt of Eaſter next (being 11. Aprilis An. D. 1563.) all inrolmentes of ſuch wrytings indented (vz. as be befoze mentioned 27. H. 8. 16.) of any bargaine and ſale after the ſaide feaſt of Eaſter to be made of any manors, landes, tenementes or other hereditamentes ſet, lying, or being in the counties of Lancaſter, Cheſter and Biſhopricke of Durham, being made and inrolled within vi. monethes next after the date of any ſuch wrytings indented in the Queenes court of Chauncerie at Lancaſter, or befoze the Queenes Juſtice or Juſtices of Aſſiſes at Lancaſter aforeſaid, concerning any manors, landes, tenementes or hereditamentes within the ſaid County of Lancaſter in y^e Queenes Court of the Eſchequer at Cheſter, or befoze the Queenes Juſtice or Juſtices of Aſſiſes at Cheſter aforeſaide concerning any manors, landes, tenementes or hereditamentes within the ſaid Countie of Cheſter. Or in the Court of Chauncerie at Dureſme, or befoze the Juſtice or Juſtices of Aſſiſes at Dureſme aforeſaide, concerning any manors, landes, tenementes or hereditamentes within the ſaid Countie of the Biſhopricke of Dureſme, ſhal be accepted, deemed, reputed and taken to be as good and available in law to all intents, as if the ſame wrytinges indented had beene made and inrolled in any of the Queenes Courts at Weſtmiſter, any thing in the ſaide former act &c. notwithstanding. 5. El. 26.

Corporate
Townes.

5 ¶ Provided alwayes that this Acte ſhall not extende to any Manors, landes &c. lying within any Citie, Borough or Towne corporate within any of the ſaid Counties wherein the Mayors, Recorders, Bayliſes, or other officer or officers haue authoritie and haue lawfully vſed to inroll any Euidences, Deedes, or other Wrytinges within their Precinct or Limites, any thing &c. notwithstanding. 5. El. 26.

1 In what caſe it is neceſſarie, that a ſafecondite ſhould be inrolled. S. Safecondite, 1.

2 That ſuch things which concerne fines and recoueries may be inrolled. S. Fines, 19, 29, &c.

3 For the office of inrolmentes, and fees of inrolmentes of fines and recoueries. S. Fines, 24, 34.

If the tenāt in Assise of Nouel disseison alledgeth against the plain-
tife, that he holdeth the tenements &c. ioynly infeoffed with his
wife, or with some stranger not named in the writte, and sheweth a
deede that testifieth the same, and prayeth iudgement of the writte, if
the Plaintife offer to verifie by the assise, that the tenant at the day of
the purchasing of the writte was sole tenant, then the Justices shall
retaine the saide deede in their keeping, as that which is in effect de-
nyed. And they shall warne by writte the partie which is absent,
that he appeare at a certaine day, together with the other tenant, to
answere to the Plaintife, aswel of the exception, as of the tenementes
demaunded, and put in vewwe &c. At which day if both the said tenants
appeare, and auowe the feoffement, they shal answere and maintaine
the exception alledged by one of them, and likewise pleade further to
the Assise, as though the writte had bene purchased ioynly against
them. And if it be founde by the Assise that they were not ioynly in-
feoffed, then though the assise passe for the tenants against the pl. yet
they shalbe one peere imprisoned, for alledging such exception. But
the Justices shall not admitte any such exception by the Bailifes of a-
ny tenants. And if he which alledgeth that exception, absent him-
selfe at the day, and the other which is said Joynfeoffe appeareth and
disauoweth the deede, yet the assise shalbe taken against the tenant &
is absent by his default. And if it be found by the assise that they were
not Joynfeoffees, at the day of the purchasing of the writte, and like-
wise that the tenane did disseise the plaintife, then the Plaintife shal
reouer his seison and his double damages, and he that alledged the
exception shalbe punished in fourme aforesayd. And if neyther of the
tenants come at the day, then the assise shal be taken against them by
their default. And if it be found that the exception be true and lawfu-
ly alledged, the plaintifes writte shal be quashed, whether both or one
onely come. 24. Ed. I.

Joindenancie
in assise pleas-
ed by deede.

Joindenancie
shall not be
pleaded by
Bailif.

2 **I**n the same maner, if in assise of Mortdauncester, or Iuris
vtrum, at the first day that the party appeare, the tenant alledgeth the
foresaid exception, and the plaintife offreth to verifie by assise, that the
tenant at the day of purchasing of his writte was sole Tenant, then
the same processe, and order of proceeding shall be obserued, as before
is said in assise of Nouel disseison, and the offenders in like sort puni-
shed. 24. E. I.

Joindenancie
pleaded in
Mortdaunce-
ster, or Iuris
vtrum.

3 **I**n other writs whereby landes be demaunded, if at the first
day of apparance, the tenant alledgeth the foresaide exception, and the
demandant offreth to verifie his writte by the Jury of the countrey,
then the same proces shall be obserued betweene the parties, untill the

Joindenancie
pleaded in any
priece.

Jury

Iron.

Jury haue passed betweene them, and if it be found by the Jury, that the exception was truly alledged, the writte shalbe abated. But if it be found that the exception was falsly and maliciously alledged to the hurt of the partie, then the demaundant shall recouer seison of y^e lands demanded, and the tenant shalbe imprisoned as is aforesaide, and answer damages after the discretion of the Iustices. 24. Ed. 1. Stat. de coniunctim feoffat.

1 Where, and by what meanes, iointenants are compellable to make partition, S. Partition, 2. 3. 4.

Iron.

What wood
shal not be im-
ployed to the
making of Iron.

NO person, shall conuert or imploy, or cause to be conuerted or imployed to coale, or other fuel for the making of yron, any Timber tree of Oke, Beech, or Ashe, or of any part thereof, of the bredth of one foote square at the skubbe, and growing within xiiii. miles of the sea, or of any part of the riuers of Thames, Seuerne, Aue, Humber, Dee, Tine, Tees, Trent, or any other Riuer, Creeke, or streame, by the which carriage is commonly vsed by boate or other vessell to any part of the sea, vpon paine of forfeiture for euery such Tree, or any part thereof so imployed, &c. xl. s. to the Q. and J. to bee recovered by A. J. &c. wherein no W. C. P. or J. &c. 1. El. 15.

2 **B**ut this act shall not extend to the countie of Suffex, nor to the wilde of Kent, nor to any the parishes of Charlewood, Redwigate and Ligh in the countie of Surrey. 1. El. 15.

Wood conuerted
into coale
for the making
of yron.

3 **N**O person or persons shall conuert, or imploy, or cause to be conuerted or imployed to coale, or other fuel, for the making of Iron, or of Iron mettall, in any Iron milles, furnesse, or hammer, any manner of wood, or vnderwood now growing, or which hereafter shall growe within the compasse of xxii. miles, from and about the Citie of London, or the suburbs of the same, or within xxii. miles of the riuer of Thames, from Dorchester in the countie of Oxford downwarde the said riuer of Thames, nor within iiii. miles of the foote of y^e hilles called the downes, betwixt Arundel and Pemsey in the Countie of Suffex, nor within iiii. miles of any of the townes of Winchelsey and Rie, nor within ii. miles of the towne of Pemsey, nor within ii. miles of the towne of Hastings in the said Countie, vpon paine to forfe. for euery loade of wood so to be imployed or conuerted into coale or other fuel for the making of Iron, or Iron mettall, in any Iron mill, furnace or hammer, as aforesaid, xl. s. to the Q. and J. to be recovered by A. B. P. or J. wherein no W. C. P. or J. &c. 23. El. 5.

4 **T**his

4 ¶ This act shal not extend to any woods growing, or to grow in any such partes of the wieldes of Surrey, Suffex or Kent, within the said xxii. miles of the said Citie of London and the riuer of Thames, as is distant aboue xviii. miles from the citie of London, & viii. miles from the said Riuer of Thames. 23. El. 5.

The wieldes of
Suffex, Sur-
rep & Kent.

5 ¶ No newe Iron workes shalbe erected within xxii. miles of the said Citie of London, nor within xiiii. miles of the saide riuer of Thames, nor within iiii. miles of the downes aforesaid, or of the saide Townes of Wemsey, Winchelsey, Hastings or Rie, vpon paine of T. li. Likewise to be recouered and employed as is aforesaide. 23. El. 5.

New Iron
workes.

6 ¶ This act, nor any thing therein contained, shall extend to any woods or vnderwoods, now standing or growing, or which hereafter shall stande or grow in or vpon any landes of Christopher Darrell Gent. in the parish of Audigate, within the welde of the County of Surrey, which woods of the said Christopher haue hertofore bene, and be by him preserved and coppised for the vse of his Iron workes in those parties. 23. El. 5.

Christopher
Darrell.

7 ¶ No person or persons, shal make, erect, builde, or new set vp, at or in any place within the Counties of Suffex, Surrey, or Kent, or any of them, any maner of Iron milles, furnace, finarie, or blomary, for the making or working of any maner of Iron, or Iron mettall, other then either vpon such old and former Bayes or Pennes, whereupon hath lately bene, or at the time of the new erection shal be then standing, some Iron milles, Fornace or Hammer, or els in and vpon such lands, as the party or parties, so erecting any such intended new worke, shal continually furnish the same with sufficient supplie of his or their owne woods, standing or growing in and vpon his or their owne proper soile or land, being to him or them in fee simple, fee taile, or for terme of life or liues without empeachment of waste at y least, and not otherwise. Nor shall conuert or employ, or cause to be conuerted or employed to coales or other fuel, for the making or working of Iron or Iron mettall, in or about any Iron milles, fornaces, hammer, fynarie, forge, or blomarie, the bodie or bodies of any sound timber trees, or trees apt for the making of good and sufficient Cleft-wares, or sawing timber of Oke, Ashe, or Elme, growing of the breadth or bignesse of one foote square at the stubbe, or any part of the same bodie or bodies of any such tree or trees, vpon paine of forfeiture for euery Iron mill, Fornace, Forge, Finarie, or Blomarie, made, erected, builded or set vp contrary to the tenor and true meaning of this acte, thye hundred pound. And for euery body of euery such timber

No newe iron
mille shalbe set
vp in Suffex,
Surrey, Kent.

Sound and
good timber,
shal not be cut
sumed, for the
making of
Iron.

Iurofs, Iuries, and Enquestes.

ber tree, so imployed or conuerted to coale or other fuel for y^e making or working of Iron, as is aforesaid xl.s. to the Queene and Infourmer, to be recovered by A. B. P. or J. wherein no W. C. P. &c. 27. El. 19.

Toppes and offalles of trees employed to Iron works.

8 ¶ It shall and may be lawfull to and for the owners of such trees, the bodie whereof haue bene or shal be, from time to time conuerted and employed to, or for any maner of Timber or Cleftware, within the wiewes of Suffex, Surrey, or Kent, or any of them, (the same not being within xviii. miles of the Citie of London, or viii. miles of the riuer of Thames, or iiii. miles of the Townes of Rie and Winchelsey, or within iii. miles of Hastings, or within iiii. miles of the foote of the hilles called the Downes betweene Arundel and Pemsey in the Countie of Suffex aforesaide or any of them) to employ the toppes and offalles of all such trees, to or for Coales or other fuel, seruing to or for Iron workes, at their owne will and pleasures, this Statute, or any other &c. notwithstanding. 27. Eliz. 19.

Iurors, Iuries, and Enquestes.

What sort of people shall be returned vpon euery Iurie.

If any Sherife or Bailife doe put into any Iury (others then such as be next neighbours, most sufficient, and least suspicious,) and is thereof attainted, he shall pay vnto the plaintife his double damages, and be amerced vnto the D. 28. Ed. 1. 9. 34. Ed. 3. 4. 42. Ed. 3. 11.

Olde men decrepit.

2 ¶ Olde men aboue lxx. yeeres of age, being continually sicke, or diseased at the time of the summons, or not dwelling in the Countrey, shall not be put in Iuries, or petit assises, and there shalbe no more summoned in one Assise then xxiii. West. 2. 13. Ed. 1. 37.

But xxiii. summoned.

No indictor shalbe put vpon the deliuey of the partie indicted.

3 ¶ No indictor shall bee put in Enquestes vpon deliuerance of the indictes of felonie or trespasse, if he bee chalenged for the same cause, by him which is indicted. 25. E. 3. 3. S. Challenge. 6.

No officer of the forest shall be sworne in Enquestes. Iuroz taking reward to giue his verdict.

4 ¶ No Foster, Uerderor, Regardour, Agistor, or other Officer of the Forest, shall bee put in any Assises, Iuries, or Enquestes to bee taken out of the same Forrest. 34. Ed. 1.

5 ¶ If any Iurour sworne in Assises, or other Enquestes to be taken betweene the Queene and the partie, or betwene party and party, do by him selfe or any other, take any thing of the plaintife or defendant to giue his verdict, and therof is attainted, at the suite of the partie, which wil sue for him selfe or for the Queene, or of any other person (entring his plaint by Byll, immeadiatly before the Iustices, before whome the Iurie was sworne) the sayd Iurour shall paye tenne times

times so much as he hath receyued. And all those which be Imbrace-
ors to leade and procure such Enquestes in the Countrey to make a
gaine and profite thereof, shall bee punished as the Iurozs, and if the
Iuroz or Imbraceoz so attainted haue not wherewith to make recom-
pence in fourme aforesaid, hee shall be one yere imprisoned, which im-
prisonment shall not bee pardoned for any fine, and the party grieved
may haue his Accion befoze other Iustices, if he will. But no Justice
or other Officer shal enquire of office, vpon any of the pointes of this
Statute, but onely at the suite of the party, or of others as aforesayde.
34. Ed. 3. 8. 38. Ed. 3. 12. S. Attaint. 17.

*Decies tantū.
Imbracciois.*

6 ¶ If any Iuroz in Assises, Iuries, or Enquestes, take of the one
party, and of the other, and be thereof duely attainted, hee shall not af-
ter be put in any assises, iuries, or enquestes, but shalbe sent to prison,
and further punished at the Queenes pleasure. And the Iustices be-
foze whome such Assises, Iuries, & Enquestes shall passe, haue power
to enquire and determine, according to this Stat. 5. Ed. 3. 10.

Ambidexter.

7 ¶ No indictment shall bee made by any persons which be out-
lawed befoze Iustices of Recorde, or which haue fled to Sanctuarie
for Treason, or Felonie, there to haue refuge, but by Enquest of the
Queenes liege lawfull people, returned by the Sherifes or Bailifes
of franchises without any denomination to the Sherifes or Bailifes
of franchises befoze made, of any person of the names which by him
shalbe returned (except it be by the officers of the said Sherifes or Bai-
lifes of franchises known and swozne to make the same, and other
ministers to whom it apperteinech by the lawes to make the same)
And if any indictment be made in any point to the contrary, the same
shal be voyd and reuoked. 11. H. 4. 9. See the force of this stat. for the
denomination in some respects altered by the Statute next fol-
lowing.

*Iurozs in in-
dictments shal
be returned by
the Sherife,
without the
denomination
of others.*

8 ¶ But all panels returned, which bee not at the suite of any
partie, that shalbe made, and put in, by euery Sherife and their mi-
nisters, befoze any Justice of Gaole deliuerie, or Iustices of peace
(whereof one to be of the Quorum) in their open sessions, to enquire
for the Queene, shalbe reformed by putting to, and taking out of the
names of the persons which be so impanelled, by euery Sherife and
their ministers, by the discretion of the same Iustices, befoze whome
such panels shall bee returned. And the same Justice and Iustices
shall commaund euery Sherife, and their ministers in their absence,
to put other persons in the same panel by their discretions. And the
same panels so reformed by the said Iustices, be good and lawfull.
And if any Sherife, or other Ministers, at any time doe not retorne
the

*Panels refoz-
med by the
Iustices.*

Jurors, Iuries, and Enquestes.

the same panell so reformed, then every such Sherife or Minister so offending, for every such offence shal forf. xx. li. to the D. & J. to be recovered by A. B. &c. wherein no W. E. P. &c. and the Queenes pardon shalbe no barre against the partie in the same, that shall sue any such accion. 3. W. 8. 12.

Enquest to enquire of concealment of other enquestes

9 ¶ The Justices of peace of every Shire of this Realme, may take by their discretion an enquest, (whereof every man shall haue landes & tenements to the peerely value of xl. s. at the least) to enquire of the concealment of other enquestes taken befoze them and befoze other, of such matters and offences as are to be enquired and presented befoze Justices of peace, whereof complaint shall be made by bill or billes, as well within franchise as without. And if any such concealment be found of any enquest had or made within the yere after the same concealment, every person of the same Enquest shall be amerced for the same concealments, by the discretion of the same Justices of peace, the said amerciaments to be assessed in plaine sessions. 3. W. 7. 1. S. Lectes. 6. 11.

Sufficiencie of freeholde.

10 ¶ No Sherife, vnder sherife, or bailye of libertie, shal put in any recognisance of assises, iuries, enquestes, or attaints that shal passe out of their proper Countie, any person of their bailiwikes, (except he hath lands and tenements to the peerely value of an l. s. at the least) or that shall passe within the Countie (except he hath lands to the value of xl. s. yerely. 21. Ed. 1.) Neither shall any of them, or any other Bailife retorne vpon any writ or precept to them directed, to retorne any Enquestes in any panell thereupon to be made, any Bailifes, officers, or seruants to any Sherife, vnder sherife, sherifes Clerke, Coroner, Steward of franchise, Bailife, or warden of prisons, in any panell by them so to be made. 23. W. 6. 10.

Sherife, crowners or gaplers seruants.

Enquest touching the life of man, pleareal, or fourty markes damages.

11 ¶ No person shall be admitted to passe in any Enquest vpon triall of the death of a man, or in any enquest betwixt partie and partie in plea reall, or in plea personall, whereof the debt and damages declared, doe amount to xl. markes, if the same person hath not lands, and tenements of the yerely value of xl. s. aboue all charges, so that he be challenged for that cause by the partie &c. 2. W. 5. 3. But this stat. doeth extend only to enquestes to be taken or made betwixt denizen and denizen, and not to enquestes or proofes to be taken or made betwixt aliens and denizens, according to the stat. of 28. Ed. 3. 13. for that purpose ordeined. 8. W. 6. 29.

Jurors to enquire of forcible entrie.

12 ¶ Upon complaint made to one, or more Justices of peace, of entrie or detaining of lands with force, the said Justice shall make his precept to the sherife of the same Countie, commanding him in the
Queenes

Queenes behalfe, to cause appeare before him, sufficient and indifferent persons, dwelling neere vnto the place where such force is, to enquire thereof, whereof euery one hath landes or tenements to the cleere perely value of fourty shillings, vpon euery of which Iury the Sherife shall retorne issues vpon the first precept xx.s. vpon the seconde fourtie shillings, vpon the thirde an hundred shillings, and at euery day after, double. And if the Sherife, or any Baylife, hauing retorne of wittes, be slacke and doe not duely execute the saide precepts, he shall forfeite for euery default xx.li. to the Q. and also pay to her a fine. 8.H.6.9.

13 ¶ If a Sherife or other person, which ought to retorne writs or precepts, doe retorne before any Escheto or Commissioner, any persons to enquire of landes or tenements, except euery of the same Iury so returned, or other to his vse, haue landes or tenements of the peerely value of fourty shillings aboue all charges within the same Shire where the Enquirie shall be made, he shall forfeite for euery person so returned, fourty shillings (except the same Iurores be returned before an Escheto in a Citie or Corporate Towne, or which is made by any person hauing priuiledge to make Eschetors.) 1.H.8. 8.3.H.8.2.

Iurores returned before eschetors or commissioners.

14 ¶ If any Bailife, or other officer in any Countie of this Realme, doe retorne or impanell in any panel to be taken or put in, or vpon any inquisition or inquirie, before the Sherife in his turne, other then such as be of good name and fame, and which haue landes or tenements of free holde within the same Counties, to the peerely value of twenty shillings at the least, or els Coppholde landes and tenements holden by Custome of the Manour within the saide Countie to the peerely value of five and twenty shillings eight pence, aboue all charges at the least, he shall forfeit. for euery person so impanelled, or returned, not being of the sufficiencie aforesaid xl.s. and the Sherife other xl.s. to the Q. and J. to be recovered by A. of debt, wherein no. C. p. &c. And euery indictment, taken before the Sherife in his turne, in any other maner, is voyde. 1.R.3.4.

Iurores in the Sherifes turne.

15 ¶ Euery person being the Queenes naturall Subiect bozne, which either by name of a Citizen, or a Freeman, or any other name, doth enioy the liberties of any Citie, Borough, or Towne corporate, where he dwelleth, being worth in moueable goods to y^e cleare value of xl.li. shall be admitted in triall of murders and felonies in euery sessions and gaoles of deliueries kept in & for the libertie of such cities, boroughs, or townes corporate, albeit he hath no freeholde. But this act extendeth not to any knight or Esquire, dwelling, abiding, or re-

Triall of felonies in corporate townes.

Jurors, Juries, and Enquestes.

Forcing in, or to any such Citie &c. 23. H. 8. 13.

Jurors impaneled in the Courts in London,

Issues returned.

Panel in London of suit depending in the Queene's courts at Westminster.

Issues returned.

16 ¶ No person shalbe impanelled, summoned or sworne in any Jury or Enquest in courts within the citie of London, except he be of lands, tenements, goods or cattels to the value of xl. markes. And no person shalbe impaneled, summoned nor sworne in Juries or inquestes in any court within the said Citie for landes or tenements, or accion personal, wherin the debt or dammages amounteth to y^e summe of xl. markes or aboue, except he be in lands, tenements, goods or cattels, to the value of C. markes, And the same matter and cause alledged by any of the said parties by way of challenge, & so found, shalbe admitted and take in euery of the said courts as a principall challenge. And euery such person impanelled or summoned to appeare in any Jury or enquest, before any of the Judges of the same citie, making default at the first summons, shall lose and forfeite in issues xii. d. and at the second default ii. s. and so at euery default after that, the issues and penalties shalbe doubled. And all such issues lost in the Mayor's court, shalbe forfeited, leuied and perceiued to the vse of the Mayor & Comminaltie of the said citie, And all such issues lost in the Sherifes court or courts, shalbe forfeited, leuied and perceiued to the vse of the Sherifs of the same city for the time being toward their fee farme. 11. H. 7. 21. And for all such issues in forme aforesaid to be lost or forfeited in the Mayor's court, it shalbe lawful to the said Mayor and to his successors to distreine, and the same distresse to retaine, vntil he or they be satisfied of the said issues. And in like maner it shalbe lawfull to the said Sherifes & their successors to distreine for such issues lost in their courtes, and the same to retaine vntill they be satisfied of the said issues. 4. H. 8. 3. And the Sherifes of London haue authoritie to returne in panels of all accions and suites depending in the Kings Bench, Common place, or Eschequer, and triable at S. Martins the graund in London by Nisi prius, persons being citizens, hauing goods to the value of C. markes or aboue, to trie the issues ioyned in euery such accion or suit. And the persons so returned shalbe sworne and doe in all such Juries likewise in euery thing, as other persons shall doe, hauing landes, &c. to the perely value of xl. s. ouer all charges. The Sherifes of the saide citie shal returne vpon the first distres xx. d. in euery such accion or suit vpon euery of the Jurors impanelled to trie the issues ioyned of all things triable in London by proces of Nisi prius out of y^e said courts, vpon the second distresse iii. s. iiii. d. and vpon euery distres after that, the double value, vntill a full Jury in euery such accion or suite shal appeare, and be sworne to trie the issues ioyned in the same. And if the Sherifes make any returne vpon such distresse, contrary to the forme

forme aforesaid, they shal forfeite tenn pound to the Queene and Informer, wherein no Wager, P. &c. 4. Hen. 8. 3. 5. Hen. 8. 5. S. Challenge. 3.

17 ¶ Every Indictment to be taken before any of the Queenes Justices in the Countie Palantine of Lancaster, or before any sherife in his turne, in the said countie, wherby any person or persons be supposed by the same indictment to be, or to haue bene inhabiting or conuersant out of the said countie, and within any other Countie within Englande, shalbe taken by verdict of xii. men, whereof euery of them or some other to their vse, shal haue lands and tenements to the peerely value of £.s. And no proces shalbe made out of such indictmēt, before it be duely examined before the Justices, within the said Countie, whether the said indictours, and euery of them, at the time of such indictment taken, had lands and tenements within the saide Countie of Lancaster to the peerely value of a hundred shillings about all charges, And if it bee founde that euery of the saide Indictors at the time of the saide indictment taken, had not lands &c. to the saide peerely value of an hundred shillings, then the indictment, as to such persons so indicted, supposed by the said indictment to be inhabiting or conuersant out of the saide Countie of Lancaster, shalbe voyde. 33. H. 6. 2.

Indictment in the countie of Lancaster, of a forreine dwelling in another Shire.

18 ¶ And in like sort euery such indictment taken in any other Countie, of any person inhabiting within the County of Lancaster, shalbe takē by the verdict of twelue men, euery of them hauing lands to the peerely value of £.s. in that other countie, or els the indictment shalbe voyd. 33. H. 6. 2.

Venire facias where ech Juror must dispend xl. s. of freehold.

19 ¶ In all cases where any Jurors to be returned for the triall of any issue or issues ioyned in any of the Queenes courts of þ Kings Bench, Common pleas, and the Eschequer, or before Justices of assise by the lawes of this Realme now in force, ought to haue state of freeholde in lands, tenements or hereditaments of the cleere peerely value of fourty shillings, in euery such case the Jurors that shal bee returned, shal euery of them haue estate of free holde in landes, tenementes, or hereditamentes, to the cleere peerely value of foure poundes at the least. And the writtes of Venire facias, which shal bee awarded and directed for the impanelling of Juries in the cases aforesaide, shal be in this forme. Regina &c. Precipimus &c. quod venire facias coram &c. duodecem liberos & legales homines de Viceneto de B. quorū quilibet habeat quatuor libras terre, tenementorum vel reddituum per annum ad minus, per quos rei veritas melius sciri poterit, & qui nec &c. and so forth the residue of the saide

Venire facias where ech Juror may dispend iii. li. of free holde.

Jurors, Juries, and Enquestes.

Venire facias
where eche
Jury neede
not dispend
iii. li.

Hundreders.

Two Hun-
dreders suffice
in a personall
accion.

What issues
shall be retur-
ned vpon Ju-
rors.

writte after the auncient forme. And vpon every such writte & writs of Venire facias, the Sherife or other Ministers to whom the making of the Panel shall appertene, shall not returne in any such panell, any person, vnlesse he may dispend iiii. pounds by the yeere at the least of free holde out of ancient demesne, within the Countie where the issue is to bee tried, vpon paine to forf. for every person being returned in any such panell, that cannot dispende iiii. li. freeholde as is aforesaide, xx.s. 35. H. 8. 6. 2. Ed. 6. 32. 27. El. 6. And in every writte of Venire facias, wherein the said clause (quorum quilibet &c. shalbe omitted) the Sherife or other Minister to whom the making of the panel shall appertene, shall not returne in any such panell any person vnlesse he may dispend some lands or tenements of estate of free holde out of ancient demesne, within the Countie where the issue is to be tried. And also shall returne in every such panell (vz. both where the said clause quorum quilibet shalbe inserted or omitted) sixe sufficient hundreders at the least, vpon paine to forf. for every person returned in any such panel, that cannot dispende some land by the yeer, xx.s. and for every hundreder omitted, xx.s. 35. H. 8. 6. 2. Ed. 6. 32. At, or vpo the trial of any issue ioyned in any personall accion, no further chalenge for the hundred shall bee admitted, if ii. sufficient hundreders do appeare at & vpon the triall of such issue. Provided neuerthelcs, that al other challenges, principal or for other cause, shal be admitted, allowed, & tried in such order and forme, as if this act had neuer bene made. 27. El. 6.

20 ¶ Upon every first writte of habeas corpora, or distringas, with a Nisi prius, deliuered of record, the Sherife or other Minister or Ministers to whom the making of the returne shall appertene, shal returne in issues vpon every person empanelled and returned vpon any such writte at the least x.s. And at the seconde writte of habeas corpora, or distringas, with a Nisi prius vpon every person impanelled and returned vpon any such writte, xx.s. at the least. And at the third writte of habeas corpora, or distringas, with a Nisi prius, that shalbe further awarded vpon every person impanelled and returned vpon such writte, xxx.s. And vpon every writte that shall bee further awarded to trie any such issues, to double the issues last afoze specified, vntill a full Jury be swozne, or the proces otherwise ceased or determined, vpon paine to forf. for every returne of issues contrary to the forme aforesaid, v. li. to the D. and J. to be recouered in any court of record by A. B. P. J. &c. wherein no W. C. P. &c. Provided that this Acte shall not extende to any Juries or Issues to be returned in any Citie or Towne corporate, or other Towne or place priuiledged to holde plea, or in the xii. shires of Wales, but that they shall and may

may be returned as heretofore they lawfully might haue beene, this act &c. notwithstanding. 27. El. 6.

21 **I**f any Shirife, vnder Shirife, Bailife or other minister doe re-
turne any person or persons to be summoned to appeare in any Iurie
wherein hee shal for default of his apparance lose or forfeit any issues,
where in truely such person shall not be lawfully summoned, then the
same Shirife, Under Shirife, Bailife or other minister by whose default
such person shalbe returned, summoned, as aforesaid shal forfeit, lose &
pay vnto the said person and persons so returned, double the value of
the issues by such Iuroz or Iurozs lost or forfeited for his default of
apparance. 27. El. 6.

Issues retura-
ned vpon a
Iuroz not su-
mmoned.

22 **I**f any Shirife, vnder Shirife, Shirifes deputie, Shirife or vn-
der Shirifes clerke, or any Bailife of franchise shal receiue, take or haue
by himself or by any other any summe of money reward or other pro-
fite directly or indirectly, or doe take any promise, make any agree-
ment or assent to haue any summe of money, reward or other profite
directly or indirectly, of any person or persons for the sparing, not
warning, or not returning of any person to be sworn as a Iuroz, for
trial of any issue ioynd or to be ioynd in any of the Queens courts
aforesaid (viz. the kings Bench, common pleas and Eschequer) or be-
fore any Iustices, then euery Shirife, vnder Shirife, bailife &c. so offen-
ding shal forfeit for euery such offence v. li. to the Q. & I. to bee reco-
uered in any court of recoorde, by A. B. P. J. &c. wherein no W. E. P.
27. El. 6.

Receiuing res-
warde for not
returning any
Iuroz.

23 **I**n euery writte of Habeas corpora, or Distringas, with a
Nisi prius deliuered of recoorde to the Shirife or other minister to
whome the making of the returne shall appertaine, where a full Iury
shall not appeare before the Iustices of assise, or Nisi prius, or else af-
ter apparance of a full Iurie, by challenge of any of the parties, the Iu-
ry is like to remaine vntaken for default of Iurozs, then the same Iu-
stices vpon request made by the plaintife or demandat, may command
the Shirife or other minister, to whom the making of the said returne
shall appertaine, to appoint as often as neede shall require, so many
of such other able persons of the said Countie, then present at the said
assises or Nisi prius, as shall make by a full Iurie, which persons so
to bee named and impanelled by the Shirife or &c. shall bee added to
the former panell, and their names annexed to the same, and euery of
the parties shall and may haue his challenge to the Iurozs so named
and annexed to the former panell, in such wise as if they had bene im-
panelled vpon the Venire facias, and the Iustices shall and may pro-
ceede to the triall of euery such issue, with those persons that were be-
fore

Tales de cir-
cumstantibus,
at the Pl. re-
quest.

foze impanelled and returned, and with those added and newly annexed to the same, in such wise as they might or ought to haue done, if all the sayd Juroz had beene returned vpon the Venire facias. And the same triall is as good to all purposes, as if it had beene by twelue of the Juroz impanelled, and if such persons, as the said Sherife &c. shall name and appoynt, or any of them after they shall be called, bee present, and doe not appeare, or after their apparance, doe wilfully withdraue themselves from the presence of the Court, then the Justices may set such fine vpon euery such Juroz, as they shall thinke good, the same to be leuied in such sort, as issues forfayted by Juroz for default of their apparance haue beene accustomed. But neuertheless, such persons as were returned in the panell by the sherife or &c. that shall not appeare, but make default, shall lose the issues vpon them returned, in such wise, as if the Jurie had remained for default of Juroz, 35. Hen. 8. 6. 2. Ed. 6. 3. 2. And the benefite of the foresayde Statute of 35. Hen. 8. shall extend to the xii. shires of Wales, and to the Counties Palantine of Chester, Durham and Lancaster, for the making vp of a full Jurie de Circumstantibus, the triall with them, &c. 5. El. 25.

Tales de circumstant. in Wales, Chester, Durham and Lancaster.

Tales de circumstant. where the Queene or other for her is pl.

24 ¶ And euery clause, sentence, article and prouiso comprised in the sayde acte of 35. H. 8. shall bee taken and expounded to giue the like and same aduantage to the Queenes maiestie, her heires, and successors, and to all such persons as shall pursue any accion, bill, plaint, or information for the Queene, her heires and successors onely, or for her and the partie, vpon request made to the Justices for the Queene, or himselte, by y^e Pursuant or his Atturney, as the partie plaintiff, in any other accion shoulde or might haue, by vertue of the foresaid Act, 4. & 5. H. 8. 7.

Tales de circumstantibus for the def.

25 ¶ In all cases where the partie plaintife, or demaundant by any statute heretofore made, may haue vpon his request, made vnto the Justices of Nisi prius, within England, or to the Justices of Oyer, or of assises of the xii. shires of Wales and of the counties Palantine of Lancaster, Chester and Durham, a Tales de Circumstantibus, in euery such case, the parties tenants, actors, auowants and defendants (if the plaintiffs or demandants shall vpon the calling of the principall panell or Jurie, forbear or refuse to pray the same) shall & may vpon their request haue vpon the same record, and by the same Justices, the Tales, or Talesses de Circumstantibus, vnto them granted, in like manner, forme and degree to all respects, as the plaintife or demandant in any suite or accion may haue the same, by any Statute or ordinance heretofore made or set forth, 14. El. 9.

26 ¶ And likewise the def. shall bee admitted to pray and haue a Tales for the
Tales de Circumstantibus in all popular accions, informations, def. in popular
billes, or suites commenced or had in any of the Quenes courtes of accions.
recoꝛde, vpon any penall lawes or statutes, wherein any person shall
sue, prosecute or informe, as well for the Queene, her heires and suc-
cessors, as for himselſe, whereupon issue shall bee ioyned, to be tried by
the Countrey. 14. El. 9.

27 ¶ If the grand Iurie in attaint appeare not vpon the first di- Issues in at-
stresse had against them, so that the Iurie for their default do remaine, taint.
he that maketh default shal for. to the Queene vpon the first distresse
x. s. vpon the second distresse x. l. s. and after making default, for euery
default fine pound, and the like forsaiture shal they make which be na-
med in the Tales. 23. H. 8. 3. 13. El. 25. And if any of the Iuroꝛs of Issues in at-
the graund Iury impanelled and summoned in the Courts with- taint sued in
in the Citie of London at the summons make default, so that the at- London.
taint remaineth to bee taken for default of Iuroꝛs, then euery of the
same Iuroꝛs so making default, shal forsaite for the first default x. l. s.
and at the seconde default v. l. i. and at euery default after that x. l. i. and
like proces shall be made and sued there against the graund Iury and
the petie Iury and the partie and parties, as is to be made and sued in
attaint sued at the common law. And the same proces shal be made re-
turnable at euery hussings of common pless, & the attaint shal not re-
maine to be taken after the first summons returned, for or by the de-
fault of the def. or tenant, defendants or tenants, or of any of the petie
Iurie named in the same attaint by this act ordeined. And the penal-
ties forsaited by any of the said grand Iury, shall be leuied to the vse of
the Maior and Cominaltie of the said Citie, wherein no W. or C. shal
be allowed &c. 11. H. 7. 21.

28 ¶ Upon a reasonable excuse for default of apparaunce of any Excuse for de-
Iuroꝛ sufficiently prooued before the Iustices of assise or Nisi prius fault of Iuroꝛs
at the day of their apparaunce by the othes of two lawfull and honest apparaunce
witnesses, the same Iustices may discharge euery such Iuroꝛ of the
issues vpon him returned, and the Shirife or other minister hauing
commandement by the Iustices, to omitte the returning of such
issues vpon the Iuroꝛ, shalbe discharged of the penalties for the not re-
turning of the saide issues. If the assise or Nisi prius bee discontinued
for the not coming of the Iustices, or for any other cause other then
for lacke of Iuroꝛs, then euery of the Iuroꝛs shalbe discharged of for.
of any issues vpon him returned. And also the Shirife or other mini-
ster shalbe discharged for the not returning of the issues. 35. H. 8. 6. 2.
Ed. 6. 32. 5. El. 25.

Jurors, Iuries, and Enquests.

An Enquest
shall be, de me-
dicare lingua,
where an alien
is partie.

29 ¶ In all maner of Enquestes, & proofes, which be to bee taken or made amongst Aliens and Denizens, bee they Marchantes or others, as well before the Maior of the Staple, as before any other Iustices or ministers, although the Queene bee partie, the one halfe of the Enquest or prooffe shall be of Denizens, and the other halfe of Aliens, if so many Aliens be in the Towne or place where such Enquest or prooffe is to be taken, that bee not partyes, nor with the parties in contracts, plees or other quarels whereof such Enquestes or proofes ought to be taken. And if there be not so many aliens, then shall there be put in such Enquestes or proofes as many aliens, as shall be founde in the same Townes or places, which be not thereto parties, nor with the parties as afore is sayde, and the remnant of Denizens, which bee good men and not suspicious to the one party nor to the other. 25. Ed. 3. 8. 28. Ed. 3. 13. 2. H. 5. 3. 8. H. 6. 23.

Egyptians.

30 ¶ But if it happen any outlandish person, calling himselfe an Egyptian or any such straunger, to commit within this Realme any murder, robberie or felonie, and thereof be indicted and arraigned, and do pleade not guiltie, or any other plea triable by the Countrey, then the Enquest that shal passe betweene the Queene and such party, shal be altogether English men. 22. H. 8. 10. And in like sort shall the Enquest be, where any of the sayde Egyptians is indicted of felonie for continuance within this Realme by the space of one moneth, 1. & 2. H. 7. H. 4. 5. Cl. 20.

Where Iuries
shall not be
compelled to
appeare at
Westminster.

31 ¶ No Jury shalbe compelled to appeare in any of the Queens Courts at Westminster, for the triall of any issue in any suite, vpon any penall lawe, for any offence committed aboue thirtie miles from the Citie of Westminster, except in case where the Atturney general for the time being, for some reasonable cause in that behalfe sheweth, shal require the same to be tryed at the Barre in any of the Courts of the Queenes Maiestie, her heires or successors at Westminster afore- said, which request shall be noted on the backside of the writte of Distringas thereupon awarded, to the ende the Shirife or his Bailiffe may and shall signifie the same to the Iurie that are in such cases impanelled. 18. Cl. 5.

The Jury
may giue their
verdict at
large.

32 ¶ The Iustices of assise shall not compell the Jurors precisely to say that it is a disseison, or not, so they will declare the trueth of the matter, and require the Iustices helpe. But if they willingly say, that it is a disseison or not, their verdict shall be receiued at their owne perill. Westm. 2. 13. Ed. 1. 30.

No Juror re-
turned with-
out addiction
of his dwel-
ling place.

33 ¶ No Shirife, Coroner, or other person to whome it shall ap-
pertaine to make retorne of any writ, shall retorne any Juror dwel-
ling

ling out of any libertie, without the true addition of the place of his dwelling or abode, at the time of the said returne, or within one yeere next before the making of any such returne, or some other addition, by which the partie returned may be knownen: Nor any Juroz within any Libertie, with other addition, then such, as shalbe deliuered to him, by the Bailife of the said Libertie or his deputie, certified vnder his or their hand: Nor any bailife of any libertie, nor any his or their deputy or deputies, shall of himselfe returne any Juroz, or deliuer to the Shirefe, his vndershirefe, deputie, or deputies, the names of any persons to bee returned vpon any panell or Jury, without the true addition certified vnder his or their hands to the shirefe of the place of dwelling or abode of euery person so to be returned, at the time of the said returne, or within one yeere next before the said returne or some other addition, by which the party returned, may be knownen. 27. El. 7.

34 **N**o extract of issues, against any Juroz returned, as aforesaid, shalbe deliuered out, receiued or put in vze without such addition as is put in the original Panel or Tales, wherein such Juroz shall be so returned: And no vndershirefe, Bailife, or other officer or person whatsoeuer, shall collect, leuy, or gather any Issues so extreated, of any other person or persons, then of such person and persons, as by vertue of the saide extreate, is of right charged, or chargeable, with the payment of the sayd Issues, vpon paine that euery Clarke, that shall write or deliuer, or cause, or procure any such extreat to be deliuered out, receiued or put in vze, and euery other person offending, contrary to the intent and meaning of this act, shal forfeit to the Queen, her heires and successors iii. li. vi. s. viii. d. and to the Party griued, or which shall susteine any losse thereby, iii. li. vi. s. viii. d. to be recovered by A. B. P. or J. in any court of record, wherein no W. C. P. shall be allowed. 27. El. 7. to endure to the end of the next Parliament.

In every Extract of Issues, against a Juroz his addition shall be put.

1 That Iuries taken by the Marshall of the Queenes house, shall be of the Countrey thereabout. S. Marshall. 4.

2 That a Iurie charged to enquire of trespassse committed within a Forest, shall giue their verdict where they receiued their charge. S. Forests. 7.

3 Of what sufficiencie Jurors returned to enquire of Riot, Rout or vnlawfull assemblie ought to be. S. Riots. 7. 14.

4 Of what sufficiencie Jurors returned in attaint ought to be. S. Attaints. 1. 6. 7. 14. 21.

5 Where the Iurie shalbe de Medietat. linguæ. S. Attaints. 21.

6 Where Jurors may be impanelled in one Countie to enquire of any act, thing, or matter in another. S. Attaint. 7.

Justices of Assise, and gaole delivry.

7 What Jurors shall be impanelled for the triall of him which feloniously imbecleth a record, S. Felonie, 18.

8 Where a Iurie shall be taken for an infant as though hee were of full age, S. Age, 2.

9 Within what time panels of assises shall be arrayed and copies deliuered to the parties, S. Assise, 8.

10 Where a Tales shall be awarded into an other Countie, then where the issue is to be tried, S. Attaint, 7.

11 That a Bailife shalbe appointed for the keeping of a Iurie in Wales, and the punishment of those Jurors there, which do wrongfully acquite any felon or Murderer, S. Wales, 114, 115.

Justices of Assise, and gaole deliuerie.

No man shall sit with the Justices of assise.

NO Lorde nor other of the Countrey great or smale, shall sit vpon the Bench with the Justices of assise in their sessions, in any of the shires of England, vpon paine of a great forfaiture to the Queen, neither the Justices shall suffer the contrary to be done. 20. R. 2. 3.

No man shall be Justice of assise in his owne countie.

2 **N**O Justice, nor other man learned in the lawes of this realme shall vse nor exercise the office of Justice of assise, within any County where he was bozne, or doth inhabite, vpon paine to forfait for euery offence done contrary to this act C. li. to the Q. and J. to bee recovered by A. J. &c. wherein no W. E. P. But this act doth not extend to any Clerke of assises associate to any Justice of assise, for hee may exercise the office of Clerkship of assise in any Countie, Citie, or towne, where he doth dwell, or was bozne, Neither doth this Act extend vnto the Justices, Justice Clerkes, or Clerke of assises within y^e Queenes Duchie & Countie Palantine of Lancaster, nor to the Justices of the one Bench or other for taking, hearing or determining assises in the sayd Courtes, nor to any Justice that shall take any assise by or vpon adiournement for difficultie of the same, nor to any Maiors, Shirifes, Recorders, Stewardest, Bailifes, Sutors, or other Officers in any Citie, Borough, or Towne, but that they may be Justices of assise, of fresh force, & of other assises, in the same Citie, Borough, or Towne, where he or they do dwell, or were bozne, as they might haue bene before. 33. W. 8. 24. 8. R. 2. 2.

Where Justices shall keepe their sessions.

3 **J**ustices of assise and gaole deliuerie, shall keepe their sessions in the principall and chiefe Townes of euery Countie, viz. where the Countie courts of the same Counties be holden, or shall bee holden 6. R. 2. 5. And the sessions of the Justices of assise & gaole deliuerie within the Countie of Cumberlande shall bee holden in the time of peace and truce in the Citie of Carlisle and in none other place, 14. W. 6. 3.

The

The Iustices before whom Inquisitions, enquestes and Iuries shall be taken by the Queens writ called Nisi prius according to the forme of the statute thereof made, haue power of all the cases of felony and of Treason, to giue their iudgments aswel where a man is acquitte of felony or of treason, as where he is thereof attainted at the day & place where the said Inquisitions, Enquestes and Iuries be so taken, & then from thenceforth to award execution to bee made by force of the same iudgements. 14. H. 6. 1.

Iustices of
Nisi prius shall
deliuer the
Gaole.

1 What suites commenced before Iustices of assise shall not bee discontinued by death, newe commission, association, or not coming of the Iustices, S. Discontinuance. 2. 6.

2 That newe Iustices of gaole deliuerie haue auctoritie to giue iudgement against a prisoner found guiltie, and repried, S. Discontinuance. 5.

3 That Iustices of Assise and gaole deliuerie may inquire of seuerall offences prohibited by seuerall statutes, S. Iustices of peace,

Iustice and right.

Iustice shalbe solde, deferred, or denyed to no man. Magna Charta. 9. Who shalbe Iustices of peace, 14. H. 3. 29. And the Iustices of any Bench or Court whatsoeuer shall not let to doe, or execute the common lawe for any commaundement which shall come vnto them, vnder the great seale or priuie seale. 14. Ed. 3. 14.

Iustice of peace.

In every Countie of England, good and worthe men which be no maintainers of euil, nor Barratores in the Countrey, shalbe assigned Iustices of peace. 1. Ed. 3. 16. which Iustices shal be assigned (of the Lordes. 34. Ed. 3. 1.) and the most worthe and sufficient Knights, Esquires, and men learned in the lawe, of the same Counties 13. R. 2. 7. by the aduise of the Chauncelloz, and the Queenes Counsell, without taking other persons dwelling in foraine shires to execute the same office, except Lords and Iustices of assise, and the Queenes chiefe Stewardes of her Duchie landes in the North and South partes, for the time being. 2. H. 5. 1. And the Iustices of peace of every Shire named of the Quorum, shall bee resident within the same Shire, except Lords named in the Commission of the peace, and also except the Iustices of the one Bench and the other, the chiefe Baron of the Exchequer, Serieants at the lawe, and the Queenes Atturney for the time that the same Iustices, chiefe Baron, Serieants at the lawe, and the Queenes Atturney bee attending and occupied in the Queenes

Iustices shall
be resident
within the
shire.

Iustices of peace.

Queenes Courts, or otherwise in some other place occupied in the Queenes seruice. 2.H.5.4.

Bishop of
Elie.

Durham.

Porke.

Of what li-
ning they
ought to be.

2 ¶ The Bishop of Elie and his successours, and their temporal Stewardest of the Isle of Elie for the time being, shall bee Iustices of peace, within the sayd Isle, and shall vse within the same Isle all things that doe belong to any Iustice of peace within any Countie of this Realme, and so shall the Bishoppe of Durham &c. and his temporall Chauncellour of the Countie Palantine of Durham, bee Iustices within the same countie &c. And in like sort shal the Archbisshop of Porke &c. and his temporall Chauncellour of the Shire and Libertie of Hexam called Hextoldsham, be Iustices within the same shire. 27.H.8.25.

3 ¶ No man shalbe appoynted Iustice of peace in any Countie, if he haue not landes or tenementes to the value of twentie pound by pere, and if any man bee ordeyned Iustice of peace in any Countie, which hath not landes and tenementes to the sayd value, hee shall giue knowledge therof to the Chauncelloz of England, which shal put an other which is sufficient in his place, and if hee doe not giue notice therof within one moneth, after he hath knowledge of the same commission, or if he sitte or make any warrant, or precept, by force of such commission, hee shall bee put out of that commission, and also shal forfeite twenty pound to the Q. and J. to bee recovered by action of debt at the common lawe. But this Statute doeth not extende to Cities, Townes, or Boroughs which be Counties incorporat of themselves, nor to cities, townes, or Boroughs which haue Iustices of peace of any persons dwelling therein by the Commission or graunt of the Queene or any of her progenitors, and if there be not sufficient persons learned in the law, and of good gouernance in the same Countie hauing landes and tenementes to the value aforesayd, the Chancelloz of England by his discretion may put other persons learned in the law in such Commissions, though they haue not landes or tenementes to the value aforesayd. 18.H.6.11.

Iustices othe.

4 ¶ Iustices of peace shall be swozne, duely and without fauour to keepe and put in execution all Statutes and ordinances touching their offices. 13.R.2.7. And euery Iustice of peace, before he shall take vpon him, or be allowed to exercise the same office, shall take and pronounce a corporal othe vpon the Euangelists, for the maintenance of the Queenes iurisdiction ouer all estates, and for the abolishing of foreine powers repugnant to the same. 1.El.1. For the forme of the othe. S. Queene. 4.

Quarter
Sessions.

5 ¶ Iustices of peace shall holde their Sessions foure times in the

the yere, that is, the first weeke after the feast of Saint Michael, the first weeke after the Epiphany, in the first weeke after the Clause of Easter, and the first weeke after the translation of Saint Thomas the Martyr, and more oft if neede be. And the same Justices shal hold their Sessions through the Realme of England in euery of the aforesayd weekes yere. 2. Hen. 5. 4. Euery of which foure Sessions the sayd Justices shal holde by the space of thre dayes if neede bee, vpon paine to bee punished by the aduice of the Queenes Counsell at any mans sute which will complaine. But the Justices of the one bench or the other, or the Sergeants of the Lawe, where they bee in Commission of the peace, are not bound to keepe the Sessions foure times in the yere, as other Commissioners which bee continually dwelling in the countrey, but they shal do it when they may well intende it, 12. R. 2. 10. and Justices of peace of the Countie of Middlesex are discharged of the said penaletie, for not keeping Sessions foure times in the yere, (the Court of the Kinges Bench sitting in the same Countie) But the Justices of the sayde Countie of Middlesex shal keepe their Sessions twice in the yere at the least, and more often if neede be, for any riot, or forcible entry made within the same Countie, vpon the paines and forfeitures by lawe for such offences provided, 14. H. 6. 4.

6 ¶ Euery Justice of peace shal take for his wages iiii. s. a day during the time of their sessions, and their Clerkes ii. s. of the fines & amercements rising & comming of the same sessions, by the hands of the Shirife, 12. R. 2. 10. But no Duke, Earle, Baron, or Baronet, being Justices and keeping the sessions, shal take any wages for the same office. 14. R. 2. 11. Justices wages.

7 ¶ Justices estreats shalbe double, and one part shalbee deliuered by them to the Shirife, to leuie the money thereof rising, & to pay to the Justices their wages by the Shirifes hande, by indenture made betwixt them, And the Justices shal put their name to the said estreats, with the number of the dayes of their sessions, that the Shirifes may know to whom to pay wages, and to whom not, And the Barons of the Eschequer, whom to allow and whom not. 14. R. 2. 11. Estreats.

8 ¶ The Justices of peace or thre of them at the least whereof one to be of the Quorum, in euery shire of this Realme & Wales and all other places within the Queenes dominions, haue authoritie to take information by the deposition of two honest and lawful persons at the least, And after to enquire by the othes of twelue men in euery their foure quarter sessions, of all and singular such accusations and informations made of any the offences prohibited by the statute provided.

Unreuerent
speaking a-
gainst the Sa-
crament.

ded 1. Ed. 6. against such as shal speake unreuerently against the Sa-
crament of the body & blood of Christ &c. and for the receiuing therof
vnder both kindes within the limits of their Commission. And vpon
euery such accusation and information the offendour shall be enquired
of, and indicted before the said Iustices of peace, or thre of them at the
least, of the said contempts and offences, by the verdict of twelue men,
if the matter of the said accusation and information shall seeme to the
sayd Jury good and true, And the sayd Iustices of peace, or thre of
them at the least, before whom any such presentment, information, and
accusation shalbe made, shal examine the accusers, what other witnes-
ses were present at the committing of the said offence, and how many
others, then the accusers, haue knowledge thereof, and haue authority
by their discretions to binde by recognisance aswel the sayd accusers,
as all such other persons, whome the accusers shall declare to haue
knowledge of the offences by them presented and informed, euery of
them in fine poundes to the Queene to appeare before the said Iusti-
ces, before whom the offendour shalbe tried, at the day of his tryall and
deliuerance, And the Iustices of peace, or thre of them at the least,
haue aucthority to make proces against euery person so indicted, by
two Capias, an Exigent and by Capias Vtlagatum, as wel within the
limites of their Commission, as into all other Shires and places of
this Realme, Wales and other the Queenes Dominions, as well
within liberties as without, and the same proces shall be good in the
law to all intences, and vpon the apparance of the offendour, they haue
aucthority to determine the sayde offences, according to the lawes of
this realme and effect of this Act. And also they haue aucthority to let
any person so indicted, by their discretions, to bayle for his apparance
to be tryed according to the tenour of this Act, And the sayd Iustices
of peace, or thre of them at the least, at their Quarter Sessions
where any offendour shall be indicted of any of the offences afore-
sayd, shall awarde a writte in the Queenes name to the Bishoppe
of the Dioces, wherein the offence is supposed to bee done, re-
quiring him to be in his owne person, or by his Chauncellour or
other his sufficient Deputie learned, at the Quarter Sessions
in the sayde Countie to bee holden, when and where the offen-
dour shall be arraigned and tryed, appoynting in the sayde writte
the day and place of the arraignment, which writte shall be of this
forme.

In writte to the
Bishoppe.

Elizabeth &c. Epo. L. Salutem. Præcipimus tibi quod tu, Can-
cellarius tuus, vel alius Deputatus tuus sufficienter eruditus, sitis
cum Iusticiariis nostris ad pacem, in Com, nostro B. conseruand.
assignat.

assignat apud D. tali die, ad sessionem nostram ad tunc & ibidem tenendam, ad dandum consilium & aduisamentum eisdem Iusticiariis nostris ad pacem, super arrainment & deliberationem offendent contra formam Statuti concernen, sacrosanctum sacramentum Altaris. But no person shall be indicted of any contemptes or offences aforesayde, but onely of such as shall be done within thre moneths next after the offence committed, But in all tryals for any such offenders before the sayd Iustices, the person complayned on, and arraygned, shall be admitted to purge or trye his innocencie, by as many or moe witnesses in number, and of as good honestie and credence, as the witnesses be, which be deposed against him. 1. Ed. 6. 1. 1. El. 1. S. Sacraments. 1.

9 **I**ustices of assise in their circuites, & Iustices of peace within the limittes of their Commission, or two of every such Iustices of peace at the least, whereof one to be of the Quorum, have authoritie in their quarter Sessions, to enquire of all offences and contemptes committed by any person resiant within any of the Queenes Dominions, or vnder her power, which shall by writing, cyphe-ring, printing, preaching, or teaching, advisedly and wittingly stande with, extoll, maintaine, or defend the iurisdiction or power of the Bishop of Rome, or his sea heretofore claymed &c. or shall attribute any such iurisdiction or preeminence to y^e said Sea of Rome, or to any Bishop therof, in like maner as they may of other offences against the Queenes peace, And shall certifie every presentment before them or any of them made, concerning the same, or any part thereof, into the Kings Bench within fourty dayes after any such presentment made if the Terme be then open, And if not, at y^e first day of the full Terme next following the said fourty dayes, vpon payne that every of the sayd Iustices of Assise or Iustices of peace, before whome such presentment shalbe made making default of such certificat, to forfait for every default to y^e Queene her heires & successors, one hundred pound. 5. El. 1. S. Rome. 1. And all and every offences against the Acte provided Anne. 23. El. (to retaine the Queenes Maiesties subiects in their due obedience) or against the Actes of the 1. 5. or 13. peeres of her reigne, touching acknowledging of her Maiesties supreme gouernment in causes Ecclesiasticall, or other matters touching the seruice of God, or comming to Church, or establishment of true Religion within this Realme, shall and may be inquirable as well before Iustices of peace, as other Iustices named in the same Statutes, within one yeere and a day after every such offence committed. And Iustices of Oyer and Terminer, and Iustices of Assise, and of Gaole deliuerie

Maintaining
the authoritie
of the Bishop
of Rome.

S. 1. Eliz. 1. 2.
5. Eliz. 1.
13. Elizab. 2.
S. Queene.
Rome. Sacra-
ments &c.

Iustice of peace.

in their seuerall limittes, haue power to enquire, heare, and determine of all offences against this Statute, And Iustices of peace in their open quarter sessions of peace, haue power by vertue of this Act to inquire, heare, and determine of al offences against this act (except treason and Dispylion of Treason,) 23. El. 1. S. Rome. 2. & c. Sacraments 10. 11. & c.

Striking in a Church.

10 **E**uery person which doth maliciously strike any other with a weapon in any Church, or Churchyard, or doth drawe any weapon in a Church, or Churchparde, to the intent to strike an other, being convicted by verdict of twelue men, by his owne confession, or by two lawfull witnesses before the Iustices of peace, in their Sessions, shal bee adiudged by the same Iustices to haue one of his eares cut off, and if hee haue no eares, to be burned in the cheeke with a hotte yron, with this letter F. 5. Ed. 6. 4. S. Fighting. 4.

Preachers.

11 **A**ll and singular Iustices of peace, Iustices of Assise, Iustices of Oyer and determiner, and all & singular Maiors, Bailifes, & Iustices of peace within any citie, Borough, or towne corporat, within any partes of this Realme, within the limittes of their commissions, haue authoritie to enquire of all and singular offences and misdemeanours committed contrary to the Statute provided 1. H. against offenders of preachers, and other ministers of the Church, and to heare and determine the same, and to set fines & amercements of the said offendor, as in the sayde Statute is limited, 1. H. 3. S. Preachers. 1. & c.

Buggerie.

12 **I**ustices of peace haue authoritie within the limits of their Commissions to heare & determine the offence of Buggerie, as they do in cases of other felonies. 25. H. 8. 6. 5. El. 17.

Horses conveyed into Scotland.

13 **I**ustices of peace in their quarter Sessions in euery shire of this Realme and the warden and wardens of the East, West, and middle marches for the time being, in their wardes courts haue authoritie to enquire, heare and determine, all and euery such felonies which shalbe committed by any person which shall sell, exchange, or deliuer within Scotland, or the batable ground betwixt Englande & Scotland, to y^e vse of any Scottish man, any horse, gelding or Mare, or shall sell, exchange, or deliuer within this Realme, Wales, Berwicke, or the marches or in the sayd batable ground, to the intent to be conveyed into Scotland, any Horse, Gelding or Mare, without y^e Queenes speciall licence, vnder her great seale. 23. H. 8. 16. 1. El. 7. S. Felonie. 1. Horses. 13.

Souldiour.

14 **I**ustices of peace haue power to enquire, heare, and determine the offences of all Souldiours mustring & receiuing y^e Queens wages,

wages, which do depart from their captaine within their terme, without licence, as they do and may in other cases of felony. 18. H. 6. 19. 2. E. 6. 2. S. Captaines. 3. Felony. 23.

15 ¶ Justices of Oyer and terminer, Justices of Gaole delivrie, and Justices of peace in euey shire within the Queenes dominions, haue authoritie to enquire of euey person offending contrary to the statute prouided against carrying ouer sea, Rammes, Lambs, and other sheepe aliue, and to heare and determine euey offence committed contrary to the effect of y^e same, according to the course of y^e lawes of the Realme. 8. El. 3. S. Sheepe. 1. Felony. 2.

Transporting
of sheepe.

16 ¶ At euey such time, as any information shall bee made of any vnlawfull hunting by night, or with painted faces, in any Forest, Parke, or Warren, to any of the Queenes counsell, or to any Justice of peace, of the Countie where such hunting shall bee, of any person suspected thereof, it shall be lawful to any of the same Council, or Justice of peace to whom such information shalbe made, to make a warrant to the Sherife, or to any Constable, Bailife, or other Officer of the same Countie, to arrest and take the same person, and to haue him before the maker of the same warraunt, or any other of the Queenes Counsell, or Justice of peace of the same county, And the Counsellor or Justice before whom such person shalbe brought, haue power to examine him of the sayde hunting, and of the doers thereof, and if hee conceale the offence, or any offendor, it is felony, and if hee confesse the trueth, and all that he shall bee examined of, and knoweth in that behalfe, then the offence of hunting by him done shalbe against the Queene, but trespassse finable, to bee assessed at the next generall sessions by the Justices there. And if any Rescous, or disobedience be made to any person hauing authoritie to doe execution, or Justice by any such warrant by any person which shoulde bee arrested, so that execution of the same warrant thereby bee not had, then the same rescues and disobedience is felony, and the same felonie shall bee inquired of and determined as other felonies bene. 1. Henrici. 7. 7. S. Felony. 24.

Hunting with
bils.

17 ¶ The Justices of peace of the Counties of Norfolke and Powdike, Cambridge within the Isle of Elie, at euey of their Sessions within the same Isle and Counties, haue power to cause inquirie to bee made of euey offence committed in breaking vp, cutting, or casting downe newe Powdike in Marshlande in the Countie of Norfolke, and olde fielde dike by Marshlande in the Isle of Elie in the Countie of Cambridge, and to awarde like processe against euey offendor, with like iudgement and execution of the same, (if bee

be founde guiltye) as the sayde Iustices haue vled to doe, vpon other felonies at the common lawe. 22. H. 8. 11. 2. & 3. H. 8. and 19. S. Felony. 31.

Felons.
Trespaslers.

Barretors.

18 ¶ Iustices of peace haue power to heare & determine at the Queenes suite all maner of felonies and trespasses committed against the peace, in the same Countie, And to restraine offenders, rymors, and all other Barretors, and to pursue, take, and chasten them, to imprison, and punish them according to their trespassse and offence, and also to informe them according to the said Iustices discretiō, And to take and arrest all those which they can finde by indictment or suspicion, and to commit them to prison, And to take of all those which bee not of good fame in the place where they remayne, sufficient suretie and mainprise of their good abearing or behauiour towarde the Queene, and her people, and the other duely to punish, to the intent that the people be not by such rymors troubled or indammaged, nor the peace broken, nor any passengers by the way disturbed, or put in perill, But the fines which Iustices shall assele vpon any person for any offence shalbe reasonable, hauing regarde to the quantitie of the trespassse and the cause. 18. Ed. 3. 2. 34. Ed. 3. 1.

Escapes.

19 ¶ Iustices of peace haue authoritie to enquire in their sessions, of all maner of escapes, of euery person arrested and imprisoned for felony. 1. R. 3. 3.

Retainers,
Maintenance,
Embacerp.
Bowstaues,
Unlawfull
games,
Archerie,
Regators,
Vitailers.

20 ¶ Iustices of peace at their quarter Sessions, haue authority to inquire as wel by the othes of twelue men, as by information giuen to them by any person, of al defaultes, offences and contemptes committed against the lawes, and statutes made and prouided (before 16. Ianuarii, An. 33. H. 8.) concerning, or in any wise touching retainers, giuing of Liueries, Signes, tokens, or Badges, maintenance, imbacerie, Bowstaues, Archerie, unlawfull games, focestallers, Regators, vitaille, vitailers and inholders, and euery of them, & to heare and determine the said defaultes, offences &c. And vpon any information touching the premises, or any of them, to make proces by Venire facias, one Capias, & an Exigent vnder their seales, against euery such person and persons, against whom such information or presentment shalbe had for their appearance, before them in their Sessions, to answer to such information or presentment, as shalbe there made, And if the person or persons accused by information or presentment, shalbe conuict vpon any such information, or &c. by confession or verdict of xii. men, The said Iustices haue power to giue iudgment against euery such offenders so conuicted of imprisonment, forfeiture of money, or both of them, as are limited in the said seuerall Statutes, for such

such offences, whereof they are conuict, and to cause execution thereof to be made accordingly. 33. H. 8. 10. 37. H. 8. 7.

21 **¶** All Iustices of peace aswel within liberties as without, within the limits of their seuerall commissions, in their generall or Quarter Sessions, haue authoritie to enquire of all and euery the offences (prohibited by the Statute provided 23. El. against seditious wordes and rumors vttered against the Queene) and to cause the offender & offenders therein to be indicted, without any further proceeding therein. 23. El. 2.

Seditious rumors of the Queene.

22 **¶** And also euery Iustice of peace within the limittes of his commission shall haue full power to commit any person being vehemently suspected of any of the sayde offences to warde, vnles he doe put in suerties to make his personall apparance at the next Quarter Sessions or Gaole deliuerie, and in default of finding such suerties, then to commit him to prison, there to remaine vntill hee shall find suerties for his apparance, as is aforesaid. 23. El. 2. S. Newes. 3. 4. 5. 6. 7. 8. 9. 10. 11.

Suspected persons committed to warde.

23 **¶** The Iustices of Assise and Gaole deliuerie in their seuerall circuites, and the Iustices of peace in euery countie within this Realme, or in Wales, at their quarter Sessions, both within liberties and without, haue authoritie to inquire of all and euery the defaultes and offences committed contrary to the Statute provided for the punishment of such, as shall procure or commit wilfull periurie, by inquisition, presentment, Bill, or Information before them exhibited, or otherwise, lawfully to heare and determine the same, and thereupon to giue Iudgement, awarde proces, and execution of the same, according to the course of the lawes. 5. El. 9. 27. El. 11. to continue to the ende of the next Parliament nowe next ensuing. S. Periurie.

Wilful periurie.

24 **¶** All and euery Iustice of Assise, Iustice of Oyer and terminer, Iustice of peace, haue authoritie to inquire, heare and determine euery offence committed within the limittes of their commission, contrary to the tenour and meaning of the statute provided. 5. El. against fond and phantasticall prophecies. 5. El. 15. S. Prophecies. 1.

Prophecies.

25 **¶** The Iustices of peace of euery shire haue authoritie from time to time to make search & view of and for the furniture of Horses, Armour, Geldings, Armour, and weapon to bee kept by any person hauing lands &c. to the value of CC. li. or vnder, and not aboue CCC. li. or by any person chargeable by his goods, annuities, fees, or copyholdes, and to heare and determine at their quarter sessions, all defaultes committed contrary to the statute provided. 4. & 5. H. 8. for the hauing

Iustice of peace.

of Horse, Armour, and weapon, within the Countie where such Sessions shalbe kept, by inquisition, presentment, Bill, or information before them exhibited, or by examination of two lawfull witnesses at their discretion, and to award proces against them as if they were indicted before them by verdict &c. And upon the conviction of the offender by information or suit, of any other then the Queene, to make estretes of the one moitie of the forfeitures, to bee leuied to the vse of the Queene, and to awarde execution of the other moitie to the vse of the complainant or Informer, against the offender by fieri facias, or capias, as the Queenes Iustices at Westm. may do, & if the conviction shalbe only at the Queenes suit, the whole forfeiture shalbee estretted only to her vse, But he that is once convicted for any of the sayde offences, shall not be estones troubled or convicted for the same. 4. & 5. P. & M. 2. S. Armour.

Musters.

26 **A**ll Iustices of assise in their circuits, & al Iustices of peace within the limits of their commissions in their assises & sessions, shal & may from time to time inquire, heare, and determine euery of the offences committed contrary to the act prouided 4. & 5. P. & M. for the taking of musters within the precinct of their commission, and if any person shal be before them presented or indicted of any of the sayde offences, then the sayd Iustices shal, & may awarde such proces against euery such person so indicted, as vpon indictments of trespass is vled to be made, & if any such person so indicted do appeare, & confesse the same, or plead to the same indictment, & after by verdict of xii. mē shal be convicted, then the said Iustices shal & may awarde such person to prison, there to remaine without baile or mainprise, vntil he hath paid the one moitie of y^e forfeiture specified in the said act, vnto the Queen, & the other moitie vnto him, by whose euidence he shal be convicted, & if such conviction shal be without any euidence openly giuen by any person, then y^e party convicted shal remaine in prison vntil he hath satisfied y^e whole forfeiture vnto y^e Q. 4. & 5. P. & M. 3. S. Captains, 12.

27 **A**ll and singular Iustices of peace, aswell within liberties, as without, within their seuerall authorities (at any time within thre peeres next after such offences committed) haue power to enquire, aswell by the othes of xii. lawfull men, as also to heare and examine the masters and mariners of the Ships, Crayers, and euery other person, of all and singular the offendours against the acte prouided 1. & 2. P. & M. for the restrayning of carying Cozne, Beere, Butter, Cheese, Herring, and wood beyond the sea, & to heare and determine the same offences, as they may and ought to heare and determine any other trespasses or offences. 1. & 2. P. & M. 5. And Iustices of peace in

**Transporting
of victuals.**

in their quarter Sessions, or the greater part of them, may by their writings, vnder their handes and Seales make any determination to the contrary of that, which before was determined by the Iustices of Assise, for the transporting of Cozne, or restraint thereof, if they shall find the same to be hurtfull to the Countrey by the meanes of dearth, or too much cheapenes, and to cause their determination to bee proclaimed. 13. El. 13. S. Corne. 7.

28 ¶ Iustices of peace haue power at their generall Sessions to *Milch Kine.* heare and determine the offences committed contrary to the Statute provided for the keeping of milch Kine, and for the breeding and rearing of Calues, by Byll, Information, Presentment, A. of debt, or detinue, And euery person that will, may sue for any penaltie forfeited by the said Statute, within one yeere after the offence committed, before the Iustices of peace, in the same shire, where such cause of forfeiture shalbe had, at the generall Sessions, wherein no W. & C. P. or licence to the contrary, shalbe allowed. 2. & 3. P. and D. 3. An. 13. Eliz. 25. S. Cattell. 3.

29 ¶ The Iustices of peace of euery shire within this Realme, *Wainlings.* within the limittes of their commission, haue authority at euery of their generall Sessions to inquire, heare, and determine the offences of those which shall kill, or cause to be killed any wainlings vnder the age of two yeeres, to the intent to make sale thereof, as well by information, or presentment, as by bill or plaint, wherein no W. & C. P. & C. 24. D. 8. 9. 27. El. 11 S. Butchers. 3.

30 ¶ The Iustices of peace of euery shire of this Realme with- *Killing of Calues.* in the limites of their commissions, haue authoritie at euery of their generall Sessions, to enquire, heare, and determine the Offences of Butchers, or others which shall kill any yong sucking Calues to bee solde whole, or by retayle, that shall bee calued betwixt the first day of January, and the first of May, as well by information, and presentment, as by Byll or Plaint, wherein no W. & C. P. & C. 24. Hen. 8. 7. 14. El. 11. S. Butchers. 2.

31 ¶ The Iustices of peace in euery County within this Realme *Foressallors, Regrators, Engrossers.* or Wales, at their quarter sessions, haue authority to enquire, heare & determine all and euery the defaults and offences committed contrary to the Statute provided 5. E. 6. against Foressallors, Regrators, & Engrossers, within the county, where any such Sessions shalbe kept, by inquisition, presentment, bill, or information before them exhibited, and by examination of two lawfull Witnesses, or by any of the same wayes, by the discretion of the sayd Iustices, & to make procces thereupon as though they were indicted before them by Inquisition, or verdict,

Iustice of Peace.

verdict, and vpon the conuiction of the offendour by Information or suite of any other then the Queene, to make extractes of the one moitie of the forfaiture to bee leuied to the Queenes vse, as they doe of other fines, issues &c. growen in the Sessions, and to award execution of the other moitie for the Compl. or Inform. against the offender by Fieri facias, or Capias, as the Queenes Iustices at West. doe. And if the conuiction be at the Queenes suit onely, the whole forf. shalbe extracted and leuied to her onely vse. 5. Edw. 6. 14. 13. El. 25. S. Forestallers. &c.

Recognisance
of Badgers,
Drouers.

32 ¶ The Iustices of peace in their generall Sessions, shall or may, by their discretions, take bande and surety by recognisance of euery such as shalbe allowed a common Drouer of Cattell, Badger, Lader, Kidder, Carrier, or Buyer of Coine, Grayne, Butter, or Cheese, that he shall not by colour of his licence Forrestall, Engrosse, or practise any thing contrary to the Tenour, or true meaning, or in defrauding of the said Statute of 5. Ed. 6. 14. or of any thing therein contayned. An. 5. El. 12.

Licence of bad-
gers and drou-
uers.

33 ¶ The Iustices of peace in euery county within this Realme, or Wales, at their quarter Sessions, haue authoritie to inquire, heare, and determine all defaultes and Offences, committed contrary to the Stat. provided, 5. El. for the licencing of Badgers of coine, and drouers of cattell, within the County where such Sessions shall be kept, by inquisition, Presentment, Bill or information before them exhibited, and by Examination of two lawfull Witnesses, or by any of the sayde wayes by the descretion of the sayd Iustices, & to make proces thereupon, as though they were indicted by inquisition or verdict, and vpon the conuiction of the offender, by any infor. or suite of any other then the Queene to make extractes of the moitie of the forf. to bee leuied to the Queenes vse, as they doe of other fines &c. growen in the sessions, and to award execution of the other moitie, for the compl. or infor. against the offender, by Fieri facias or Capias, as the Queenes Iustices at West. doe, And if the conuiction be at the Queenes suite onely, the whole forf. shalbe extracted and leuied to her vse onely 5. El. 12. S. Badger &c.

Unlawfull tak-
ing of Fish,
Deare, or
Haukes.

34 ¶ Iustices of Dier and determiner, Iustices of Assise in their circuits, Iustices of Goale deliuary and Iustices of peace in their sessions, haue authority to inquire, heare and determine all and singular the offences committed contrary to the statute provided, 5. El. for the punishment of vnlawful taking of fish, deare, or haukes, and to award proces thereupon, as wel vpon Indictments taken before them as by bil of complaint, information, or any other accion, wherein no W.

E.P.

E. 3. c. If any person shalbe bound before any of the said Iustices to the Queene for his good abearing for vii. yerres, according to the tenour of the said act, and the same party shall afterward within y^e sayde vii. yerres, come before the Iustices of peace, of the Countie where the offence was committed, or some of them in open Sessions, and there confesse his offence, and be sorpy therfore, and satisfie the party griued, according to the tenour of the said Act, then the same Iustices haue authoritie in the same, or any other open Sessions within the sayde terme of vii. yerres, if it shal seeme good to their discretions, to discharge the said recognisance & band, and the party so bound. 5. El. 21. S. Fish. 7. Forestes. 3. Haukes. 1.

35 ¶ Two Iustices of peace in their sessions, haue authoritie to call before them any person hauing no Parke, Chace, or Forest of his owne, which keepeth, or causeth to be kept any deare haies, or Buckstalles, or which stalketh with any bush or beast to any Deare, being in any Chace, Parke, or Forest sauing in his owne, without licence of the owner, master of the Game, or keeper of the same Forest &c. or which killeth, taketh, or causeth to be taken any Herons (except by hauking or with long bowe) or taketh any yong Herons out of the nest, without licence of the owner of the ground where the nest is, and by their discretions to examine him in the premisses. And if the party examined be found in default contrary to the premisses, then he shalbe committed to prison vntill he hath found suretie for payment of the forfeiture to the Queene. And the Iustices that examine him shall haue the tenth part of euery such forf. for their labour. An. 19. H. 7. 11. See Hunting. 3. 4. Herons. 1. 2.

Buckstalls.
Stalking.

Taking of
Herons.

36 ¶ Iustices of peace may and shall inquire of all lay men hauing not lands to the value of xl. s. by the yere, and of all Clerkes, not hauing liuing to the value of x. li. by the yere, which doe keepe any dogges to hunt, or do vse ferrets, haies, nets, harepipes, cords, or other engins to take or destroy deare, hares, conies, or other Gentlemens games, and shal punish them by one whole yerres imprisonment. 13. R. 2. 13. S. Hunters. 1.

Hunters.

37 ¶ Iustices of peace within euery shire, at euery Sessions of the peace haue authoritie to enquire of such as doe trace, destroy, and kill any hare in the snowe, with any Dogge, Bitch, or otherwise, and after such inquisitions found, the said Iustices shall asseesse vpon euery such offender vi. s. viii. d. to be forfeited to the Queene. 14. H. 8. 10. See Hunters. 2.

Tracing of
Hares.

38 ¶ Iustices of peace haue authoritie to heare and determine aswell by inquisition as information, and p^{ro}oofes, the offences of al those,

Felants.
Partridges.

Iustice of peace.

Examining of
offenders.

those, which shall take or cause to be taken any Fesants or Partridges, by nettes, snares or other engines, out of their owne Warren, vpon the freeholde of any other person without the licence of the owner, or possessor. 11. H. 7. 17. S. Fesants. 1. And the Iustices of Assise in their circuites, and Iustices of the peace in euery Shire, Countie, and Towne Corporate, within this Realme in their Sessions, within the seuerall limites of their Commission shall and may enquire, heare and determine of all and euery offence or offences which shall be committed within the precinct of their Liberties, Jurisdictions or Fraunchises, against the tenour of the Act provided 23. El. for the preservation of Fesantes and Partridges. And euery Iustice of peace within euery Countie of this Realme shall within the limits of his commission haue power to examine all offenders in any article of the same Statute within the Countie where he is or shall be Iustice, if so be that the said offence or offences shal not before be heard or determined by the Iustices of assise in their circuites, or by the Stewardest of Leetes, Liberties, or Lawdaies within their seuerall Jurisdictions, and also to take bande with good sureties for his and their apparance that shall so offend to appeare at the next generall sessions of the peace to be holden within the same Countie where the same offence shalbe committed to answer the said offence, and to pay the penalties or receiue the punishment by this act appointed. 23. Eliz. 10. S. Fesants, &c. 2. 3. 4. 5.

Haukes egges

39 ¶ Iustices of peace haue authority, to heare and determine as wel by inquisition, as information, and proofes, the offences of al thē, which shall take, or cause to be taken the egges of any Faulcons, Goshaukes, Laners, or Swannes, out of the nest, or shall take any Citer, Falcon, Goshauke, Tercel, Laner, or Lancret, or purposely drie them out of their couerts accustomed to breede in, or cause them to go to other couerts to breede, or kill them for any hurt by thē done. 11. H. 7. 17. S. Haukes. 3. 4.

Destroying of
fish.

40 ¶ Iustices of peace in their Sessions, Iustices of Dier & Determiner, and Iustices of assise in their seuerall circuites haue authority to inquire, heare and determine all the offences committed contrary to the statute provided 1. El. touching the taking, killing, or destroying of Fish, or Frie, and Spawne (which be not presented at the Leete, where they shalbe committed) within one yeere next after the offence committed. 1. El. 17. 27. El. 11. S. Fish. 3. 4. Lecte. 6.

Conseruators
of Salmon.

41 ¶ The Iustices of peace of all the Counties of England shal be conseruators of the statute provided 13. Ed. 1. and 13. R. 2. for the preservation of Salmon, in the Counties where they be Iustices.
And

And they and euery of them, at all times when they may attend, shall suruey the offences attempted against the said statutes, And shall suruey and search all the Meares in such Riuer, that they shall not be very strait for the destruction of Frie and blood, but of a reasonable widenes after the old assise accustomed, and if any of them shall finde default against the said statutes, he shall punish the offender according to the content of the same statutes. And y^e same Iustices, shall appoint vnder them good & sufficient vnderconseruatoys which shall be sworn to make like surueying, search, and punishment, without any fauour shewed. And the same Iustices in their Sessions, shall enquire aswel by their office, as at the information of the said vnder conseruatoys, of all trespasses and offences committed against any point of the saide statutes, and shall cause them which be thereof indicted, to appeare before them: And if they be thereof conuicted, they shall be imprisoned, & make fine after the Iustices discretion, and if the same be at the information of any of the vnderconseruatoys, he shall haue the one halfe of the same fine. 17. R. 2. 9. S. Fish. 1.

Underconseruatoys sworn

42 ¶ It is lawfull to Iustices of peace in their Sessions, the Sherife in his turne, the Steward in any Lecte or Lawday, the Aldermen in their Wardes, and to all other persons having authoritie to enquire of bloodshed and frapes, to enquire of euery of the offences and forfeitures committed against the statute provided 24. H. 8. for the reformation of excesse in apparel, and the parties offending the saide statute and presented, shall make fine, in maner and forme and after the rate expessed in the said statute 24. H. 8. 13. And also Iustices of Assises in their circuites, and Iustices of peace in their Sessions, shall and may enquire, heare and determine from time to time, all and euery the offences committed within the limites of their Iurisdiccions contrary to the stat. provided 1. & 2. H. 8. for reformation of excesse in apparel. And they haue authoritie vpon the conuiction of euery offender, to awarde processe to the Sheriffe of any Shire within this Realme, for the apprehension of the said offender, which being apprehended shall be committed by the Sherife to the prison of the sayde Shire, vntil hee hath paid the forf. by the said statute appointed 1. & 2. H. 8. 2. S. Apparell.

Apparel.

43 ¶ All Iustices of peace in euery Shire, where any offence shall be committed contrary to the true intent of the act made 27. H. 8. (whereby religious houses of Monkes, Chanons, and Nunnes which might not dispend in lands &c. aboue the cleere yerely value of two hundred pound were giuen to the said King H. 8. his heires and successors for ever. And whereby all persons and bodiees politique and corporate, to whom

Iustice of peace.

Tillage.

whom the said King, his heires or successors should giue, graunt, let, or demise any Scite or precinct, with the houses thereupon builded, with the demesnes of any of y^e said religious houses, by y^e act dissolved, be bound to keepe, or cause to be kept an honest continuall house and household in y^e same Scite or precinct, & to occupie peereley asmuch of the demeanes, in ploughing & tillage of Husbandry which then were commonly vsed to be kept in tillage by y^e gouernors, Abbots &c. of the same houses, or by their fermor or fermors, occupying y^e same within xx. yeers next before the said act, vnder the paine to forfait to y^e king, for euery moneth offending vi. pound xiii. s. iiii. d.) shal in euery quarter and generall Sessions, within the limits of their commission, inquire of the premises, and haue full power and autoritie to heare and determine the same, and to take and aslesse no lesse fine for euery of the saide offences then is before limited for the same. And the estreets thereof shalbe certified into the Eschequer according, and at such time and forme, as other estreets of fines, issues and amerciaments bene, made by the sayd Iustices. 27. H. 8. 5. Cl. 2. S. Husbandry. 9.

**Crossebowes,
Handgunnes.**

44 ¶ It is lawfull to all Iustices of peace in their Sessions to inquire, heare, and determine euery offence committed contrary to the tenour of the stat. made 33. H. 8. concerning Crossebowes and handgunnes, so that alwayes no lesse fine then x. pound be assessed vpon euery presentment, and conuiction made, according to the due course of the law, the same fine vpon euery such presentment and conuiction, to be leuied onely to the Queenes vse, And if any Iury swoyne and charged to enquire for the Queene, of any offences committed contrary to the sayd statute doe wilfully conccale any of the said offences, then the Iustices before whom any concealement shall be had, haue autoritie to charge & sweare another Iury, to inquire of euery such concealement, & if such concealement be found & presented by the sayd Iury, then euery of the first Iurie shall forfait for euery such concealement of euery offence xx. s. to the Q. And euery Iustice of peace, vpon due examination & profc before him made of any person offending contrary to the forme & effect of the sayd stat. and arrested and brought to him by any other person, perceiuing any such person to offende, hath power to commit the same offender to the next Goale, there to remaine vntill such time as the penaltie specified in the sayd stat. shalbe truely payed by the sayd offender: the one moitie to the Q. and y^e other to the first bringer of the sayd offender to the same Iustice. But if the presentment, suit or punishment for any thing forfeited by the stat. to the Queene, be not commenced, or made within one yeere next after the offence committed, the sayd offender shall be thereof cleerely discharged, 33. H. 8. 6. S. Gunnes,

45 **I**ustices of assise in their circuittes, and Iustices of peace in their sessions, shal and may enquire, heare, and determine al and euery offence comitted within the limits of their authorities, contrary to the statute prouided 13. El. for the continuance of making of Caps. 13. El. 19. S. Hattes. 1. 2.

46 **I**ustices of peace haue power to inquire and determine all the offences committed contrary to the stat. prouided 8. H. 5. concerning the gilding of metall, and other things. 8. H. 5. 3. S. Gold. 7.

47 **I**ustices of peace in euery shire, Riding and other place in their quarter Sessions, haue authoritie to inquire of all defaults, contempts, omissions and offences, contrary to the effect of the stat. prouided 32. H. 8. concerning the breeding of hoxses of higher stature, And to heare and determine euery presentment founde before themselves, or found in any Leetes or Lawdayes, and presented & certified vnto them by the Steward, deputie or courtholder of the same Leete or Lawday, aswel by examination as otherwise. And the one halfe of all forfeitures specified in the said stat. shalbe to the Q. and the other to the person that wil sue for the same, before the same Iustices, by B. N. 32. H. 8. 13. S. Horses. 3. 4. 5. 6. 7. 8. 9.

Breeding of
Hoxses.

48 **T**he Iustices of assises and Iustices of peace haue power within the limites of their authoritie, to heare and determine the defaults done contrary to the statute prouided 33. H. 8. concerning the keeping of great hoxses, aswel by presentment as by information before them, as in other cases of trespasses and contempts done against the forme of any statutes, and shall set no lesse paine vpon such persons, as shalbe conuicted, by confession or tryall for offending by saide Act, then in the said Act is limited. 33. H. 8. 5. S. Horses. 10. 11. 12.

Keeping of
Hoxses.

49 **I**t is lawfull to the warden and wardens of the East, West, and midle marches for the time being, in their warden courts, and to the Iustices of peace in euery shire aswell in England as in Wales, in their quarter sessions, to enquire of all offences committed contrary to the act ordeined 1. E. 6. that no hoxses should be conueyed out of this Realme and other the Queenes dominions without licence. 1. E. 6. 5. S. Horses. 14.

Transporting
of Hoxses.

50 **I**ustices of peace in euery shire, libertie or franchise, within this Realme, haue authoritie to enquire, heare, and determine the defaults and offences of Hostlers, and Inholders baking horsebread, which is not sufficient, lawfull, and of due assise according to the price of corne, and to set such fines, and make like proces thereupon, as they commonly vse to doe vpon presentments of trespass against the peace. 32. H. 8. 41. S. Inholders. 2.

Iustice of peace.

Lether.

51 **¶** All Iustices of Assises, Iustices of Gaole deliuerie, and Iustices of peace shal enquire, heare and determine in their sessions, all offences committed within their seuerall p̄dicts, liberties and Iurisdiccions, contrary to the Statute prouided 5. Eliz. touching Tanners, Curriers, Shomakers, and other Artificers occupping the cutting of Lether, and also shal by their discretions examine all persons suspected to offend the said act, or any parcell thereof. 5. El. 8. S. Lether.

Wages of knights of the parliament.

52 **¶** Al Iustices of the Kings bench, and of the Common place, Iustices of Assises and Gaole deliuerie, and Iustices of peace haue power in their Countrey, to enquire, heare and determine all defaults and offences committed by any person within the limits of their commission, contrary to the statute prouided 23. Hen. 6. for the leuying, and paying of the wages of the Knights of the Parliament aswel by enquirie at the Queenes suite, as by accion at the parties suit. 23. H. 6. 11. S. Parliament. 12.

Stolen horses.

53 **¶** Iustices of peace in euery place and Countie, aswel within liberties as without, haue authoritie in their Sessions, within the limits of their authority and commission, to enquire, heare & determine all offences committed contrary to the statute prouided 2. & 3. H. & M. against the buying of stolen horses, as they may doe any other matter triable before them, and euery person that wil, may sue for any summe forfeited by the said stat. before the Iustices of peace. 2. & 3. H. & M. 7. S. Faires. 4. 5. 6.

Counterfaying letters, tokens.

54 **¶** Aswel the Iustices of Assise for the time being, as also two Iustices of peace in euery Countie, City, Borough, Towne & Franchise, whereof one to be of the Quorum, haue authoritie to conuent by procelle or otherwise, to the generall Sessions, any person being suspected of any deceitful getting into his hands, any money, or other things of any other persons, by colour of any false token, or counterfayte letter made in any other mans name, & to commit him to warde, or let him to baile, vntil the next generall Sessions, and thereto bee further ordered by their discretions, that is to say, he shal suffer such correction by imprisonment, setting vpon the Pillorie, or by any corporal punishment, (paines of death except) as shalbe appointed by the saide Iustices. 33. H. 8. 1. S. Counterfeyting &c.

Arrowheads.

55 **¶** Iustices of peace in euery County, haue power to enquire of all false makers of Arrowheads and Quarels, and to punish them according to the stat. in that case prouided. 7. H. 4. 7. S. Arrowheds. 1.

Artificers.

56 **¶** At and singuler Iustices of Assise, & Iustices of peace, haue authoritie to enquire, heare and determine at all and euery their Sessions,

ctions, all and singular offences committed by artificers, workemen, labourers and vitallers, against the stat. for them provided 2. Edw. 6. and to punish the offender, according to the tenor of the same statute. 2. Ed. 6. 15. S. Artificers. 1. 2.

Informers.

57 **I**ustices of Oyer and Determiner, Iustices of assise in their circuites, and Iustices of peace in their quarter Sessions, haue authoritie to heare and determine all offences committed, contrary to the true intent and meaning of the stat. provided 18. El. to redresse disorders in common informers vpon penall lawes. 18. Eliz. 5. 27. Eliz. 10. S. Actions popular. 3. 4. 5. 6. 7. 8.

Purueyors.

58 **I**ustices of peace in euery countie, haue power to enquire, heare and determine, as wel at the suite of the Q. as of him which will sue, of any thing committed contrary to the stat. provided against Purueyors which wil take or buy any thing of the value of xl. s. or vnder, of any of the Queenes liege people, without making ready payment in hand for the same, against constables, tythingmen, and chiefe pledges, which vpon request doe not assist the owners to withhold and resist such purueyors and buyers, and against such of the Q. officers, as doe procure any of the Queenes people to be arrested, impleaded, or vexed, for such withholding, or not suffering &c. & thereof to make due punishment and execution, and to award dammages to the plaintiffe, when the defendand is duely conuict. 20. H. 6. 8. S. Purueyors. 22.

Purueyors.

59 **I**ustices of peace haue power to enquire, and holde plea of any offence committed by any of the Queenes Purueyors, or other which doe buy or take coyne, by any other measure, but by the striked bushel, & viii. of them for the quarter, or which doe take carriage therefore, and doe not make ready payment, and thereupon as wel at the Q. suit, as at the parties, to punish them, according to the stat. in that case provided. 1. H. 5. 10. S. Purueyors. 16.

Purueyors.

60 **T**he Chauncelour or his vicechancelor, or commissary for the time being, in either of the Uniuersities of Cambridge & Oxford, with two Iustices of peace, of the counties wherein the said Uniuersities be set, haue power to enquire by the othes of xii. men, of and vpon the defaults and offences committed contrary to the statutes (or betwining in what cases Purueyors may take vitailles within v. miles of Cambridge and Oxforde, and in what they may not) and to see due punishment and reformation thereof, according to the said Stat. 2. & 3. H. 8. 15. 13. El. 21. 14. El. 11. 27. El. 11. S. Purueyors. 32.

61 **A**ll and euery Iustices of oyer and determiner, and Iustices of assises in all their Sessions, and al Iustices of peace in euery Countie, and place of this Realme, or thre of them at the least,

linnen cloth.

whereof one to be of the Quorum, haue power to enquire, heare and determine in their Sessions, of all persons which doe wittingly vse any deceitfull act or meane with linnen cloth, whereby the same is made worse for the vse thereof, by Information, Indictment, or vpon the Trauerse of any presentment or indictment found before them or any of them. And the Iustices before whome any offence shall bee found, shall certifie the same by estrete into the Eschequer at Michaelmas &c. 1. Cl. 12. S. Linnen cloth. 2.

Pewter.
Basse.

62 ¶ The Iustices of peace, within euery shire, at the generall sessions holden at Michaelmas, shall appoint two certaine persons, hauing experience in pewter and basse, to make search therein &c. in euery part of that shire, aswell within franchise as without (sauing in cities or boroughs, where searchers be appointed by the gouernours of the same.) 19. H. 7. 6. 4. H. 8. 7. S. Pewterers.

Artillerie.
Buttes.
Bowes.

63 ¶ Iustices of assise, of Gaole deliuerie, and Iustices of peace haue power to inquire in their sessions of all and euery branch of the statute prouided 33. H. 8. for the maintenance of artillerie, of buttes, & for the making and selling of bowes, and to heare and determine the same, and also by their discretions to examine al persons lacking and not hauing bowes and arrowes, according to the said Stat. 33. H. 8. 9. S. Archerie, Bowes. 3. 4. Buttes. 1.

Unlawfull
games.

64 ¶ It is lawfull to all and euery the Iustices of peace, in euery shire, Mayors, Sherifes, Bailifes and other head officers within euery citie, towne, and borough within this Realme, from time to time, aswell within liberties as without, as neede and cause shall require, to enter and resort into all and euery houses, places, and Alleyes, where unlawfull games shalbe suspected to be vled contrary to the statute in that case prouided; And aswell the keepers of the same, as also the persons there haunting, resorting, and playing, to take, arrest, and imprison, and them so taken and arrested, to keepe in prison, vnto such time, as the keepers and maintainers of the said playes and games haue found sureties to the Queenes vse, to be bounden by recogni-
fance, or otherwise, no longer to vse or occupie any such house, play, game, alley or place. And also the persons there so found, shall in like case be bound by themselves, or els with suerties, by the discretion of the Iustice, Mayors, Shiris &c. no more to play, haunt or exercise, fro thenceforth to any of the said places, or at any of y^e said games. And al Iustices of peace, Mayors, Sherifs &c. and euery of them, finding, or knowing any person vsing any unlawfull games contrary to the said statute haue authoritie to commit euery such offendour to ward, there to remaine without baile or mainprise, vntill such time they so offend-
ding,

ding, be bound by obligation to the Queenes vse in such summe of money, as by the discretion of the said Iustices, Mayors, Baylives &c. shalbe thought reasonable, that they or any of them, shal not frō henceforth vse such unlawful games. And the Iustices of peace shal cause the stat. provided against unlawfull games, and for the maintenance of Artillerie, to be openly proclaymed in their seuerall sessions befoze them holden. 33. H. 8. 9. S. Playes and Games.

65 ¶ Iustices of peace in their sessions, haue power to enquire, of all attachmēts made by y^e officers of y^e courts of y^e Eastmarches or West marches, out of any of y^e colities of westmerlā, cumberlā or northberland, or y^e town of newcastle vpon tyne, & therin to proceede, as they may vpon presentmēts takē befoze thē in their sessiōs, of trespass, or affraies made against y^e Q. peace. 31. H. 6. 3. S. Marches. 1.

Attachmēts
in the wars
ches.

66 ¶ Iustices of peace of euery Shire, Riding, and liberty within the limites of their seuerall commissions, or the moze part of them, being then resiant within the same, and the Sherife of the Countie (if he conueniently may) and euery Mayor, Baylife, or other head officer, within any Citie or Towne corporate, wherein is any Iustice of peace, within the limites of the said Citie, Corporation &c. shall peerely at euery generall Sessions, first holden after Easter, or within sixe weekes next after Easter, assemble themselves together, and calling vnto them such graue and discreete persons of the said County, Citie, Towne &c. as they shall thinke meete, and conferring together, respecting the plentie or scarcitie of the time, and other circumstances necessary, shall haue authority within the limites of their seuerall commissions, to limit, rate, and appoint the wages of artificers, handicrafts men, husbandmen, laborers, seruants, workemen, apprentices of husbandry &c. as they shall thinke meete to be rated, limited &c. by the yere, or by the day, weeke, moneth, or otherwise, with meate and drinke, or without, and what wages euery workeman and laborer shall take by the great, for mowing, making, reaping, or threshing of Corne, and Hay, or for Ditching, Haling, Raling, or hedging by the Rodde, Perche, Lugge, Parde, Pole, Rope, or foote, or for any other kinde of reasonable labours, or seruice. And shall peerely befoze the twelfth day of Iuly next after the said rates so appointed, certifie the same ingrossed in parchment, with the causes thereof, vnder their hands and seales into the Chauncerie, whereupon it shall be lawfull to the Lord Chauncelour or Keeper &c. vpon declaration thereof to the Queenes maiestie or Lords &c. of the priuie Counsel &c. to cause to bee printed and sent downe, befoze the first of September next after the said Certificate, into euery Countie, to the Sherife and Iu-

Labourers.

Rating of
wages.

Iustice of Peace.

Proclamati-
ons of rates
of wages.

Iustices of peace there, and to the Mayor, Baylives &c. certaine proclamations containing the severall rates appointed by the Iustices &c. with commandement to all persons in the Queenes name, to observe the same, and to all Iustices, Sherifes &c. to see them duely observed, which proclamations shalbe entered of record, by the Clerke of the peace, or by the Clerke of the citie, towne &c. And shalbe proclaimed in euery citie and market towne, vpon the market dayes before Michaealmas, and fixed in some open place &c. And if the said Sherifes, Iustices, Mayors &c. shall at their said Sessions, or at any time after within vi. weekes, vpon their assembly and conference together, thinke it conuenient to reteine for the yere to come, the rates of wages, that they certified the yere before, or to change or reforme them, or some part of them, then they shall before the twelfth day of July perely certify into the said Chaucery, their determinations therein, to the intent that proclamation may be accordingly renewed and sent downe. And if there be no neede of reformation, or alteration of the rates of wages, but that the former shal continue, then the proclamation for the yere past shall remaine in force, vntil new proclamations vpon newe rates shalbe sent downe. 5. El. 4.

At the Iustices
shal assemble
at the rating
or altering of
wages.

67 ¶ If all the Iustices of peace resident in the counties where they be Iustices, and the Mayors, head officers &c. doe not perely assemble at the generall Sessions holden after Easter, or within sixe weekes next after, and limite and rate the wages of seruants and Labourers, or shal not consider whether the former rates made, be meete to be continued, or to be altered and reformed, or be negligent in the certificate thereof: Then euery such Iustice, Mayor &c. in whome any such default shalbe found, being within the said countie, citie, towne &c. at the time of the said sessions, or at the time of the said rates of wages to be set, within sixe weekes next after such sessions, and not visited with any such sickness, as he could not trauel thither without danger of his life, or not hauing any other good excuse to be allowed by the Iustices then assembled for the rating of wages, or by the more part of them, (vpon a corporall oth, and Affidavit, to be openly taken before the Iustices vpon the holy Euangelists, by some credible person assessed in the booke of Subsidy of that County to v. pound at the least, or by such other person, as the most part of the Iustices shal allow to take such oth) shal forfeit. for euery such default and negligence vnto the Queene x. li. 5. El. 4.

Inquiritie of
execution of
the stat. of la-
bourers.

68 ¶ The Iustices of peace of euery Countie, diuiding them selues into severall limites, and euery Mayor and head Officer of any Citie, Towne Corporate &c. shall perely betweene the feastes of

S. M.

S. Michael, and the natiuitie of our Lord, and betweene the feastes of the Annunciation of our Lady, and of S. John Baptist, by all such wayes and meanes, as to their wisdomes shalbe thought meete, make a speciall and diligent inquirie of the branches and articles of the statute made 5. El. for artificers, labourers, seruants of husbandry, and apprentices, and of the good execution of the same, and where they shall finde any faultes, to see the same seuerely punished without fauour or displeasure. And the said Iustices or two of them, whereof one to be of the Quorum, and the presidents and counsel established in the Marches of Wales, and the North, and the Mayor and head officers of euery citie, towne corporate &c. haue power to heare and determine all offences committed against the foresaid stat. or against any branch thereof, aswel vpon indictment to be taken befoze them in the sessions of the peace, as vpon accion of debt, or bill of complaint, to be sued by any person, and shall and may make proces against the defendand, and awarde execution, as in other cases they may, and shall certifie the estretes in Michaelmas terme into the Eschequer. And euery Justice of peace, Mayor, Bailife, and head officer, shall haue for euery day that he shall sit in, and about the execution of this stat. allowed vnto him v.s. of the fines and forfeitures of the penalties due to the Queene by force of the said stat. in such maner, as the said Iustices haue bin commonly payed for their comming and charges at y quarter sessions, so that the sitting of the said Iustices, Mayor, &c. be not at any time aboue iii. dayes, for the matters contened in this stat. 5. El.

4. S. Labourers.

Euery Justice
allowed v.s.
a day.

69 ¶ The Iustices of peace, of euery place, or county, in default of inquiry or presentment thereof made within the precinct of any Leete, haue authoritie to enquire of all the offences committed within the limites of their commission, contrary to the Statute provided 2. and 3. P. and M. for the amending of high wayes, at their quarter Sessions, and to asseſſe such fines therfore, as they or two of them, whereof one to be of the Quorum shall thinke meete, And the clerke of the peace shall make estretes indented, of the fines, forfeitures & amercements, for the defaults presented befoze the said Iustices, & shall deliuer the one part thereof sealed and signed by him to the Baylife or high Constable of euery hundred, rape, lath, or wapentake, wherein the defaults shalbe presented, and the other halfe, to the Constables and Churchwardens of the Parish wherein the defaultes were made, to be peerely deliuered within sixe weekes after the feast of Saint Michael. 2. and 3. P. and M. 8. 5. Eliz. 13. And the Superuisour appointed for the amending of high wayes, within one moneth after a

High wayes.

ny offence committed contrary to the true meaning of either of y^e saide Statutes,shal present euery such offence to the next Justice of peace for the time being, which Justice shall certifie the same presentment at the next generall sessions within the said Countie, vpon paine to forfait for euery offence not certified v. li. And the Justices of peace of euery Countie where such offences shalbe committed, haue authoritie to enquire thereof, within the limites of their Commission, at euery their quarter Sessions, and to aslesse such fines for the same, as they or two of them (whereof one to be of the Quorum)shal thinke meete. And euery Justice of peace hath authoritie vpon his owne proper knowledge, in the open generall Sessions, to make presentment of any high way not well and sufficiently repayred, or of any other default, or offence committed within the limits of his Commission, contrary to the prouision or intent of either of the foresaid Statutes, and euery such presentment shalbe as good, and of the same force in the lawe, as if the same had bin presented and adiudged by the sthes of xii. men, and for euery default so presented, the Justices of peace of the saide Countie, shall immediatly at the said generall Sessions, aslesse such fines, as to them or two of them, wherof one to be of the Quorum, shalbe thought meete, sauing to euery person touched by such presentment, his lawfull trauctse to the same presentment, as they might haue vpon any indictment of trespassse, or forcible entry by the lawes of this Realme. 5. El. 13. And all and euery Justices of assise, Justices of Oier and terminer, and Justices of peace, in their sessions, shal heare and determine euery offence, matter and cause, that shal growe or arise by reason of the stat. prouided 18. El. for the amending of high wayes. 18. El. 9. S. High wayes.

Bridges.

70 ¶ The Justices of peace, of euery Shire of this Realme, Franchise, Citie, or Borough, or foure of them at the least, wherof one to be of the Quorum, haue power to enquire, heare and determine in the generall Sessions, of all maner of anoyances of bridges broken in the high wayes, and of all anoyances of high wayes, which lie next adioyning to the endes of Bridges, and being distant from the said endes CCC. foote, to the damage of the Queenes people, and to make such proesse and paynes vpon euery presentment befoze them made, for the reformation of the same, against such as ought to be charged for the making or amending of such Bridges or high wayes, as the Queenes Justices of her Bench vse commonly to doe, or as it shall seeme by their discretions necessary and conuenient for the speedy amending of the same, and where such decayed Bridges, or high wayes lie in one Shire or Riding, or within a City

a Citie or Towne Corporate, and such persons, bodie^s politique, lands or tenements, which ought to be charged to the making & amending thereof, lie and abide in another, or out of the said Citie or towne corporate, the Iustices of the Shire, Citie or Towne Corporate, within which the saide decayed Bridges or high wayes or any part thereof shall be, haue power to enquire, heare, and determine all annoyances within the limits of their Commissions, and to make Procelle into euery shire within this Realme, against such as ought to amend such Bridges or highwayes, presented befoze them to be decayed, and to doe further in euery behalfe, as they might doe by this Act, in case the persons landes &c. which ought to be charged, were in the same Shire, Riding, Citie or Towne Corporate where the annoyance is. The Iustices of peace or foure of them at the least, whereof one to be of the Quorum, of the shire, Riding, or of the Citie, Towne Corporate &c. shall call befoze them the Constables, or two inhabitants of euery Towne and Parish, within the Shire, Riding, Citie or Towne Corporate, aswell within Liberties as without, wherein such bridges, or any parcel thereof be, and with their assent, shall tax euery inhabitant in euery such Citie, parish or towne, to such summe of money, as they shall thinke conuenient for the amendment of decayed bridges, where it cannot be known and proued, what persons landes, tenements, or bodie^s politique ought to repaire the said bridges, & the said Iustices shall appoint two Collectors for the gathering of the money so taxed, and two Surueyors to see the decayed bridges repayed, and shal cal the same Collectors and Surueyors to accompt.

22. H. 8. 5. S. Bridges. 2. 3. 4.

71 ¶ The Iustices of peace of euery shire, Citie, Borough &c. Alehouses. or two of them at the least, wherof one to be of the Quorum, shall haue authoritie within the limits of their iurisdiction, to discharge commō selling of Ale and Beere, in common Alehouses and tippling houses in such townes and places, where they shall thinke meete, and none shall keepe any common alehouse &c. but such as shall be admitted in the open Sessions, or by two Iustices, whereof one to be of the Quorum, which shall take band and suretie by Recognisance of such as be admitted, against vsing of vnlawfull games, and for the maintenance of good order, and for the making of euery such recognisance shall take but twelue pence. And the Iustices where such Recognisance shalbe taken, shal haue authoritie in their quarter Sessions to inquire by presentment, information, or otherwise by their discretion, of all such persons as be allowed to keepe Alehouse &c. and that be bound by recognisance, if they hane done any Act, whereby they

Bb. iiii.

haue

Certificate of
recognisance
for Alehouse.

haue forfeited the same, and to award proces against euery person so presented, or complayned vpon, to shewe why hee should not forfeite his recognisance, and to determine the same, as by the shalbe thought good, and they shall committe euery person to the common gaole of the same shire, citie, borough &c. which keepeth common Alehouse, being not admitted in forme abouesaid, or commanded to the contrarie, there to remaine for three dayes, and before his deliuerance, shall take recognisance of him with sureties, that he shall not keepe any common Alehouse. And the said Iustices shall make certificate of euery such recognisance and offence, at the next quarter Sessions, which certificate shalbe a sufficient conuiction in law of the same offender. And if any Justice of peace doe take a recognisance of one which is allowed to keepe a common Alehouse or Tippling house, against the using of vnlawfull games, and for the maintenaunce of good order, and doe not certifie the same at the next quarter Sessions to be holden within the same Shire, Citie, Borough, Towne Corporate, Fraunchise, or Libertie &c. he shall forfeite to the Queene for euery offence three pounce, sixe shillings eight pence. 5. Ed. 6. 25. S. Alehouse. 1. 2. 3.

Poor people.

72 ¶ The Iustices of peace in all shires in England, shal in their quarter Sessions next after Easter, perely examine the performance, or not performance of the statute provided 14. El. for the reliefe of the poore and impotent, according to the tenor thereof, as they are bounde to doe the stat. of Labourers. And at their quarter Sessions shal perely appoint new Collectors, and new ouerseers, for the causes in the said stat. limited, and shall then also agree vpon newe biewes and searches of the said impotent people, within euery their limites for the pere folowing, if neede shalbe. And further at their said Sessions, shall take order for all and euery thing that may in any wise further the intent of the said Act. 14. El. 5. 27. El. 11.

Reliefe of the
poore.

73 ¶ Three Iustices of peace within all the Shires of this Realme, whercof one to be of the Quorum, haue power to heare, and determine al causes (except forfeitures of Iustices of peace) that shal come in question by reason of the said stat. provided for the reliefe of the poore. 14. El. 5. 27. El. 11.

Reliefe of the
poore.

74 ¶ If any default shall be found in any Iustices of peace, or Quorum, in or about the executing of the said Act provided for the reliefe of the poore, euery of the sayd Iustices vpon prooofe of y sayd default, by two sufficient witnesses before the Iustices of assise, at the next generall Sessions of gaole deliuerie for the same Countie, after the same default, shall lose and forfeite five pound of lawful English

glissh money, the one halfe thereof to bee to the vse of the sayde pooze people of the same Countie, and the other halfe to the Q. which forfaiture shalbee leuied by the discretion of the saide Iustices of Assise. 14. El. 5. 27. El. 11.

75 **T**he Iustices of peace within any Countie of this Realme, ^{Pooze people.} ^{Vagabonds.} or Wales, shall not intromit or enter into any Citie, Borrough, place or Towne corporat, where be any Justice or Iustices of peace, for any such Citie &c. for the execution of any branch, article, or sentence of y^e act prouided for the punishment of vagabonds and reliefe of y^e pooze and impotent, for, or concerning any offence, matter, or cause arising within the precincts, liberties or iurisdiccions of such Citie, borrough, place, or Towne corporate, But it may and shalbe lawfull to the Justice and Iustices of peace, Maiors, Bailifes, and other head officers of those Cities, Borroughs &c. where there be Justice or Iustices, to proceed to the execution of the said act, within the precinct of their liberties, in such maner and forme, as the Iustices of peace in any county may or ought to doe within the same County, by vertue of y^e sayde act. And euery Justice and Iustices of peace, within euery such Citie &c. for any offence by them or any of them committed contrary to the intent of the said stat. shalbe punishable and chargeable, as other Iustices of peace at large in the Counties, are by the saide act appointed to be. 14. El. 5. 27. El. 11. S. Poore. S. Vagabonds.

76 **I**f any Justice of peace, assembled at any of the Sessions ^{Pooze people.} next after Easter, shall from thence depart, before conference had touching the execution of the stat. prouided for the setting of the pooze on worke, and for the auoyding of idlenesse, he shall for euery offence forfait v. li. to be rec. and leuied as a fine, vpon indictment and conuiction of trespassse, and to bee imployed to the vse of the prouision and furniture of the house or houses of correction, in such countie. 18. El. 3. 27. El. 11. S. Poore.

77 **I**f any person whatsoeuer hee bee, being aboue the age of ^{Vagabonds.} foureteene yerres, and set forth by the act prouided for the punishment of vagabonds, made 14. El. to be a roge, vagabond, or sturby begger, be at any time taken begging in any part of this Realme, or taken vagrant, wandering, and misordering himselfe, contrary to the purport of the said act, in any part of the same, hee shall vpon his apprehension bee brought before one of the Iustices of peace, or Maior, or chiefe Officer of Cities, Borroughes and Townes corporate, within the Countie, Citie &c. where the apprehension shall happen to be, and by the saide Justice, or head officer bee presently committed to the common gaole of the sayd county being apprehended within the countie, or

Justice of peace.

or else such other place, as by the Justices of peace of the Countie, or iii. of them, at any their generall sessions shalbe appointed. And if hee be taken within any Citie, Borough or Towne corporate, then to be committed to the prison of the sayd Citie &c. there to remaine without baile or mainprise, vntill the next sessions of the peace, or generall Gaole deliuey of the same Shire, Citie, &c. to be holden, which shall first happen. 14. El. 5. 27. El. 11. S. Vagabonds. 2.

Bruers.

78 ¶ The Justices of peace of euery Shire, where any Ale bruer, or Beere bruer doeth dwell, out of a Citie, Borough or Towne Corporate, or other place where no head Officers haue any rule, haue power to sesse and take by their discretions, the prices of euery barrel, kilderkin, or firkin of Beere and Ale, and the Ale and Beere bruers shall not sell their Ale and Beere at any higher prices, then shal be to them by the sayd Justices assigned. 23. H. 8. 4. S. Bruers. 2.

Vessels.

79 ¶ The prices of all barels, kilderkins, firkins, and other vessels to bee solde for Ale, Beere, or Sope to be vttered therein, where such vessels shalbe made or sold, out of any Citie, Borough or towne corporat, shalbe taxed by the Justices of the peace or the more part of them being present in the quarter sessions perely next after Easter, at such prices as they shall thinke reasonable. 8. El. 9. S. Cowpers. 1.

Attorneis.

80 ¶ The Justices of peace within the Counties of Suffolke, Norff. and the Citie of Norwich, haue power to inquire in their sessions, of any persons which presume to bee Attornies in any Courts of record, in the said counties or Citie, otherwise then is appoynted by the stat. in that case prouided. 33. H. 6. 7. S. Atturney. 14.

Keepers of
Ferries and
passages.

81 ¶ The Justices of peace within the Counties of Gloucester and Somerset, at their quarter Sessions, haue authoritie to call before them all such persons which doe keepe any Ferry or passage ouer the riuer of Seuerne into Wales, or the Forrest of Deane, or out of Wales, or the sayd Forrest into Englande, and to binde them with sufficient suerties with them in recognisance, in such summes of money, as it shal seeme to the discretion of the sayde Justices, that they and euery of them, being Passengers, and keepers of Ferries and passages, shall not after the Sunne being set at the night, or before the Sunne rising in the morning, conuey or carry, or cause to be conueyed or carryed, any maner of person or persons, or any kinde of cattell, but such persons as they doe know and will answer for, & to know where their abidings, dwellings, and habitations be, & vpon request made to them or any of them, shall from time to time disclose, aswell the same person or persons, as the goods & cattels so passing the sayd passages, vpon fresh suite made vpon any felony, murder, or robbery.

robberie committed in the borders of y^e said countie of Gloucester & Somerset, or in any other place within England, or South Wales.
26. H. 8. 5. S. Boates &c. 12.

82 ¶ The Iustices of peace or two of them at the least, of y^e shire where any Towne, Village, or Hamlet not corporate is, where any cloth shall be made or sold, haue full power once euery yere, to cal befoze them by their p^rcept or otherwise, ii. iii. vi. viii. or moe, (as they shall thinke good by their discretion) of the most honest, discrete, & indifferent men of euery such towne, village, or hamlet, where any cloth shall bee made or solde, and them shall appoynt to bee ouerseers for one whole yere then next following, within the towne, Village or hamlet, where the same ouerseers shall bee dwelling, charging them also vpon their othes, and as they do tender the honour and common wealth of the Realme, that they doe endeouour themselves for that yere, to see the statute p^rouided 3. Ed. 6. for the true making of wolle cloth, to bee obserued within the limits of their charge. 3. Ed. 6. 2. S. Drapery. 71. 72. 73.

Ouerseers of
Cloth.

83 ¶ If any person which shall retaille any of the clothes, kerseies, frizes, rugges or cottons, of the seuerall makings specified in the Statute (p^rouided 5. Ed. 6. for y^e true making of wollen cloth) do present any cloth which is defectiue or faultie, vnto two Iustices of peace next adioyning, out of a Citie, Borough or Towne corporate, where such cloth shall bee found faultie, the same Iustices shall cause the same cloth to be cut into thre equall pieces, whereof the Queene shall haue one, the presentor or other, and the thirde they shall retaine to them selues. 5. Ed. 6. 6. S. Drapery. 34.

Faultie cloth.

84 ¶ Euery Iustice of peace of the County where any souldier shall be found, which shall giue, wilfully purloine, exchange, or put away any Horse, Mare, Gelding, or harneis, wherewith he shall be set forth, shall commit the said souldier to ward, vntill he hath satisfied the partie griued for such Horse, Harneis &c. so lost, purloyned, &c. except the same souldier were imprisoned for the same offence befoze by the Lieutenant, Captaine &c. or their deputies, & made restitution. 2. Ed. 6. 2. S. Captaine. 1.

Souldier.

85 ¶ The Iustices of peace of euery shire haue authority to enquire of the offendours of the statute made 25. H. 8. (limitting what number of sheepe men shall keepe, and haue at one time) as well by the othes of twelue men, as by information of the Queenes Subiectes, and to make such like proces vpon euery presentment or information concerning the sayd Act, as they vse commonly to do vpon presentments befoze them of trespassse, and no person being conuicted by

The number
of sheepe.

Justice of peace.

by confession, or otherwise, that hee hath done or attempted, contrary to the sayd act, shall be put to any lesse fine, then after the rates of the forf. limited by the said act. 25. H. 8. 13. S. Sheepe. 3. &c.

Coroners.

86 ¶ The Justices of assises and Justices of peace, within the County where any default of a Coroner is (which vpon request to him made, to come and inquire of any person slaine, drowned, or otherwise dead by misadventure, doeth not his office therein diligently, or taketh any thing therfore) haue power to inquire thereof, and to determine the same, aswel by examination, as by presentment. 1. H. 8. 7. S. Coroners. 16.

Escheators.

87 ¶ Justices of peace haue power to heare and determine, vpon presentment made before them in their Sessions, all forfeitures committed by Escheators in selling, or setting to farme their offices, or making any Deputies but such for whom they will answer, contrary to the stat. in that case prouided, in which presentment, like proces shall bee had, as is vlsed vpon indictmentes of trespassse done with force and armes against the Queenes peace. 12. Edw. 4. 9. S. Escheators. 12.

Sheriffes.

88 ¶ Justices of peace, and other Justices haue power to hold plea, of any suite commenced by any person against the Shirife, or any of his ministers, which by force of the estreates of the Escheator, do leuie the Queenes debt of him, and do not tot the same which is payed, wherby the debt is an other time demanded of the same person. 42. Ed. 3. 9. S. Estreates. 1.

Defaultes of Sheriffes.

89 ¶ Where Justices, or a Justice of peace, vpon complaint to him or them made of any forcible entrie into landes or tenements, or of detaining thereof with force, doe direct their precept to the Shirife to returne sufficient and indifferent persons dwelling about the sayd landes, to enquire of such entries: If the sayd Shirife or Bailife of Franchise, hauing returne of writs, be slacke and do not duely execute the said precepts to them directed, then aswell the sayd Justices or Justice, as the Justices of assise, and euery of them, at their coming into the countrey to take assises, haue power to heare and determine such defaultes and negligences of the sayde Sheriffes and Bailifes, aswell by bill at the suit of the P. griued for himselfe, as by indictment only for the Q. And if the sherife or bailife be attainted by indictment or bill, he which sueth for the Q. and himselfe, shall haue the moitie of xx. li. (which the offender shall forf.) together with his costes and expences, and the proces against the offender shall bee as in trespassse, vi & armis. 8. H. 6. 9. S. Force. 2.

Extortion of Sheriffes.

90 ¶ Justices of Assises in their sessions, Justices of the one bench, and

and of the other, and Iustices of peace in their countrey, haue power to enquire, heare, and determine all the extortions, and other offences committed by Shirifes, vnder Shirifes, Coroners, Bailifes of franchises, and their ministers, contrary to the statute for them prouided. 23. H. 6. in any article or point of the same statute. 23. H. 6. 10. S. Iurors. 10. Shirifes. 5. 6. 7. 8. 9. 10. 11.

91 ¶ Iustices of Oyer, and terminer, Iustices of assises in their Burp. circuites, and Iustices of peace in their sessions, haue authoritie to enquire, heare, and determine, of all and singular offences committed against the statute prouided 37. H. 8. against vsury. 13. El. 8. S. Vsury. 1. 2. 3.

92 ¶ Two Iustices of peace, whereof one to bee of the Quorum, ^{Waightes and measures.} haue authoritie, as well by examination, as by inquirie, to heare and determine the defaultes of head officers of Cities, Boroughs, & market townes which do not cause twise in the yere at the least al waightes and measures therein to be brought before them, and the defectiue to be broken and burnt. And also of al buyers and sellers, which doe not buy and sell with waightes and measures, which bee lawfull, and to set fines and amerciaments vpon the offenders according to their discretions. 11. H. 7. 4. And also Iustices of peace haue power to inquire of falsifiers and counterfeiters of false waightes, and to imprison, and in prison to hold them, vntill they be attainted or acquitted, and if they be attainted, they shal remaine in prison vntil they haue made fine by the Iustices discretion. And they shall inquire of, heare, and determine the same, so often as they shall thinke needefull. 9. H. 5. 8. S. Waightes. 9. 10. 13.

93 ¶ All Iustices of peace, within the limits of their commission, ^{The egges of wildfoule,} haue authoritie to inquire, heare & determine the offences of all those, which shall willingly purloine, destroy, or conuey away the egges of any kinde of wildfoule, from the nest or place where they shalbe layed by the same wildfoule, like as they commonly vse to do in cases of trespassse. 25. H. 8. 11. 3. Ed. 6. 7. S. Wildfoule.

94 ¶ Iustices of peace in euery Shire of this Realme, within ^{wines.} the limits of their commissions, aswel within Franchises as without, haue authoritie to examine, heare, inquire, and determine the defaultes of such as shall attempt to sell any wines in grosse, or by retaille, contrary to the statute made 28. H. 8. limiting the prices of wines, and to punish the offenders by imprisonment, or otherwise by their discretions. 28. H. 8. 14. S. Wines. 1. 2.

95 ¶ The Iustices of peace of euery County, City, and Towne ^{wines.} corporate in their seuerall sessions, haue authoritie to inquire by the othes

Iustice of peace.

othes of xii. lawfull men, of all and euery offence and offences done contrary to the statute (made 7. Ed. 6. to auoyd the great prices and excesse of wines) And euery inquirie and presentment taken, and had by the othes of xii. lawfull men, shall be of such force, as if the same were taken or had in the Kings Bench: And euery of the paines, penalties, and forfeitures due by force of the sayde acte, for any offence committed contrary to the fourme therof, as shalbe found by presentment, before the sayd Iustices, no bill, plaint, accion, or information thereof commenced in any of the queenes courts of record, shall bee equally deuided into two partes, whereof y^e one shalbe to the Queene, her heires and successours, and the other to the poore people of the towne or place, where such presentment shalbe founde. 7. Ed. 6. 5. S. Wines. 6. 7. 8. 9. 10. 11.

Maintenance
of the Naup.

96 ¶ All Iustices of peace in their sessions within the limites of their commissions, haue authoritie to inquire, aswell by the othes of twelue men, as otherwise by information, and thereupon to heare, and determine al and singuler such offences as shalbe done in the land, or within any hauen, or peere (contrary to the statute prouided 5. El. touching certaine politique constitutions made for the maintenance of y^e Naup, or contrary to y^e Statute prouided Anno. 27. El. against the uttering or putting to sale of flesh vpon certaine dayes prohibited,) and if any person shall bee presented before the sayde Iustices within the limites of their authorities, or any information giuen to them of any offender of the saide actes, then they haue authoritie, vpon such presentment or information, to make proces against the offenders, as is comonly vled vpon indictments of trespasse, and if any be presented, and afterward conuicted by confession or otherwise, then he shall suffer no lesse punishment or forfeiture, then in the saide statutes is limited, for the leuying of the which for. the said Iustices within the limites of their commissions, haue authoritie to make such proces as they shall thinke good by their discretions. But no information at the suite of any person concerning the said acts, shall be of effect to put any person to answere or forfeiture, except the same be commenced within halfe a peere after the offence done, Nor any information or presentment for the Queene shall be of effect &c. except the same be within one peere after the offence committed, contrary to the sayd acts. 5. Eliz. 5. 27. El. 11. to continue till the ende of the next Parliament nowe next ensuing. S. Fish dayes. Hempe and Flaxe. 2. Shippes. 1. 2. 3. 4. 5.

Cide makers.

97 ¶ The Iustices of peace, within any Countie of this realme, and

and euery of them haue power to inquire, heare and determine the defaultes and offences committed (contrary to the Statute provided 17. Edward 4. for the true making of Tyle.) And if it be founde, or may appeare to the saide Iustices, or any of them, by examination or otherwise, that any person hath offended contrary to the saide Acte, then the same Iustices shall assesse vpon the offendour no lesse fine, then in the said Statute is limited. And the same Iustices haue power to assigne expert persons, in the occupation of Tyle making, to searche and examine the making thereof, And euery presentment made, by the saide searchers of any defaultes, before the saide Iustices at their next Sessions, shall be as effectuell in the lawe, as the presentment of twelue men. And the Iustices haue power to examine, inquire and determine the defaultes of searchers, in like maner, as they haue of Tyle makers. 17. Ed. 4. 4. S. Tiles. 3. 4. 5.

98 ¶ Iustices of peace in their open sessions haue authoritie, vpon information, to heare and determine the offences of wooll dyuers, or wooll buyers, inhabiting within the Parish of Halifax, which shall sell their woolls at any other place, foorth of the towne of Halifax: And also of all such, as shall buye their woolls at Halifax, and sell them againe wrought in yarne, or cloth, and to make proces against the offendours, as in other cases to be determined before them. 2. and 3. P. and M. 13. S. Wools. 5.

Regrating of
woolles.

99 ¶ Iustices of Oier and Determiner, within the limittes of their commission, Iustices of Assise in their Circuites, and Iustices of peace aswell within Liberties as without, within the limittes of their commission, shall haue full power and authoritie, to inquire, heare and determine all and euery offences committed or to be committed within the seuerall limittes, circuite or precinct of their commission or commissions (contrary to the Statute made 27. Eliz. for the leuying of Issues lost by Iuroys) and to awarde for the proces of execution for the leuying of the said forfeitures 27. El. 7. to endure to the end of the next Parliament. S. Iuroys. 33. 34.

Additions of
Iuroys and
their Issues.

100 ¶ The Iustices of Assise and Iustices of peace, in their open Sessions, shall haue full power within the limittes of their authoritie, to heare and determine the defaults done contrary (to the statute provided 27. Eliz. for the swearing of vnder-shiriffes and other officers) aswell by Presentment and Information, as Inditement. And vpon conviction of the offendours, to awarde execution for the leuie of the forfeitures, by fierifacias, or by Attachement, Capias or Exigent, 27. Eliz. 12. S. Shiriffes 35. 36. 37.

Swearing of
vnder-shiriffes.

101 ¶ The

Making of
Maulte.

101 **T**he Justices of peace in euery of their Sessions, shal haue full power and authoritie to enquire, heare, and determine, aswell by presentments of xii. men, as by accusation or Information of two honest witnesses, of, for, and vpon all and euery the offences and forfeitures committed, contrary to the Statute made Anno 2. Ed. 6. for the true making of maulte, aswell for the Queene, as for the Party that shall sue, procure, or cause the same to bee presented. 2. Ed. 6. 10. 27. El. 14. to continue till the end of the next Parliament, now next ensuing. S. Maulte.

Bastardies.

102 **T**wo Justices of peace, whereof one to be of the Quorum, in or next vnto the limittes where the parish Church is, within which parish any bastard begotten and bozne out of lawfull matrimonie shal be bozne, (vpon examination of the cause, & circumstance) shall & may by their discretions, take order aswell for the punishment of the mother, and reputed Father of such bastard childe, and also for the better reliefe of euery such parish in part or in all. And shal and may likewise, by like discretion, take order for the keeping of euery such Bastard childe, by charging such mother or reputed father with the payment of money weekly, or other sustentation for the reliefe of such childe, in such wise as they shall thinke conuenient. 18. Eliz. 3. S. Bastardy 1.

Certificat of
Agnus Dei,
Crosses, &c.

103 **I**f any person to whome any Agnus Dei, Crosses, Pictures, or Beades shall bee offered, doe bring the partie that made him that offer, to a Justice of peace of that Shire, or within thre daies after such offer made, do disclose to him the name of the partie, his dwelling or place of resort, and if the same Justice doe not within xiiii. dayes next after any such matter shall be shewed vnto him, declare the same to one of the Queenes priue Counsell: Then the Justice shall incur the danger, paine and forfe. of premunire provided 16. R. 2. 13. El. 2. S. Rome. 5. 6.

Tithes.

104 **T**wo Justices of peace whereof one to be of the Quorum, vpon information, certificate, or complaint, to them made in writing by any Ecclesiasticall Judge, that gaue sentence against any person, which obstinately, & wilfully refused to pay his tithes or such summe of money, wherein he was condemned for the same, haue authoritie to cause the same partie to be attached, and committed to the next gaole, vntill he haue found sufficient suretie to bee bound to the Queene, to performe the sayd sentence. 32. Hen. 8. 7. And the like authoritie haue any of the Queenes Counsell or two Justices of peace, whereof one to be of the Quorum, &c. vpon the Ecclesiasticall Judges request, for any contempt, contumacie or other misdemeanour of the partie defendant

dant in any suite for subtraction of tithes, offerings, or other dueties of the Church untill he hath founde suretie, vt supra &c, 27. H. 8. 20. S. Tithes. 22.

105 **E**uery Iustice of peace, within this Realme, that shal take any recognisance for the keeping of y^e peace, shal certifie, send or bring the same recognisance at the next sessions of peace, where he is or hath bene Iustice, that the partie so bounde may bee called. And if the partie make default, the same default, then there to be recorded, And the same recognisance with the record of that default, shall bee sent, and certified into the Chauncery, the Kinges Bench, or into the Eschequer. 3. H. 7. 1. Certificat of recognisance.

106 **N**o Iustice, or Iustices of peace, shall let to bayle or mainprise any such person or persons, which for any offence by any of them committed, be declared not to be repleuished, or bailed, or be forbidden to be repleued or bayled by the statute made 3. Ed. 1. Nor any person arrested for manslaughter, or felony, or suspicion of manslaughter, or felony, beingailable by the law, shalbe let to bayle or mainprise by any Iustices of peace, if it be not in open Sessions, except it be by ii. Iustices of peace at the least, whereof one to be of the Quorum, And the same Iustices to be present together at the time of the said baylement or mainprise, which baylement or mainprise they shal certifie in writing, subscribed, or signed with their owne handes, at the next general gaole deliuey, to be holden within the County where the persons shal be arrested or suspected, And the said Iustices or one of the, being of y^e Quorum, where any such prisoner is brought before them, for manslaughter or felony, before any baillement or mainprise, shall take the examination of the prisoner, and information of them that bring him, of the fact, and circumstances thereof. And the same, or as much thereof, as shalbe materiall to proue the felony, shal put in writing, before they make the baillement, which examination, together with the baillement, the said Iustices shal certifie at the next general gaole deliuey, to bee holden within the limits of their commission, And also the sayd Iustices haue authoritie to bind all such by recognisance, or obligation, as do declare any thing material to proue the said manslaughter, or felony, to appeare at the next generall gaole deliuey to bee holden within the Countie, citie, or towne corporat, where the triall thereof shalbe, then & there to giue euidence against the partie so indicted, at the time of his triall, & shall certifie euery such band taken before them at the next generall gaole deliuey. And if any Iustice of peace, or Quorum shal offend in any thing contrary to the true intent and meaning of this Act, the Iustices of gaole deliuey of the Shire, Baillement of offenders.

Iustice of peace.

Citie, Towne &c. where such offence shall bee committed, vpon due prooofe thereof by examination before them, shall for euery offence, set such fine on euery of the same Iustices of peace, as the same Iustices of gaole deliuey shall thinke meete. But the Iustices of peace, and Coroners in London and Middlesex, and other Cities, Boroughs & Townes corporat in England and Wales, haue authoritie to let to bayle felons and prisoners, as they haue bene heretofore accustomed, But they shall take examinations and bandes as is aforesayde, vpon euery bailment, by any of them made, and shall certifie them at the next gaole deliuerie, to be holden within the Shire, citie, borough &c. vnder the foresaid paine &c. 1. & 2. P. & M. 13. S. Mainprise. 52.

Imprisonment
of offenders.

107 ¶ In like sort euery Iustice or Iustices of peace, before whome any person shall be brought for manslaughter or felony, or for suspicion thereof, before he or they shall commit such prisoner to ward, shall take the examination of such prisoner, & information of those that bring him, of the fact, and circumstances thereof, and the same, or as much thereof, as shall be materiall to proue the felonie, shall put in writing, within two daies after the said examination, & the same shall certifie in such maner and forme, and at such time, as they should & ought to doe, if the prisoner had bene bayled, or let to mainprise, vpon such paine, as in the former statute is expressed, for not taking, or not certifying examinations. And the said Iustices haue authoritie to bind all such by obligation, or recognisance, as do declare any thing materiall to proue the manslaughter, or felony, to appeare at the next generall gaole deliuey &c. to giue euidence &c. and shall certifie the said bonds. Vt supra. 2. & 3. P. & M. 10.

Watermen.

108 ¶ The Iustices of peace within the shires next adioyning to the riuer of Chamys, betwixt Grauesend and Windsor, within their seuerall iurisdiccions, haue authoritie vpon complaint made vnto the, or any of them, by the eight ouerseers of Watermen, or two of them, or by the master of any seruant being a waterman, to examine, heare and determine all complaints and offences, committed by any such person, that shall offend contrary to the true meaning of the Statute prouided 2. & 3. P. & M. for Watermen, vpon the riuer of Champe, and to set at libertie euery person imprisoned by the sayd ouerseers, if iust cause shall appeare vnto them so to doe, And to correct the said ouerseers, that shall without good cause punish any person, by colour of the said Act. 2. & 3. P. & M. 16. S. Boates. 2.

One Commission
of the
peace shall not
be a supersedes
as to another.

109 ¶ All and singular Commissions graunted, or to be graunted to any Citie, or Towne corporate, not being a County in it selfe, for the keeping of their peace, & deliuey of the prisoners remaining in

in the gaoles of any such Citie, or Towne corporat, shal remaine and bee good in the law, to all intents, the granting of any like commissiō of peace or gaole deliury, to any Commissioner or Commissioners, for the conseruation of the peace, or deliury of the prisoners, remayning in the gaole of any Shire, Lathie, Rape, Riding, or wapentake within this Realme of England, bearing date after the said commissiō or commissions graunted to any such Citie or Towne corporate, not being a Countie in it selfe, to the contrary notwithstanding. 2. & 3. P. & M. 18. S. Discontinuance of proces, 6.

110 The Act made against unlawfull, & rebellious assemblies, or the effect thereof, shalbec read or declared at euery quarter Sessions. (1. P. 12.) And so shall the Statute made 5. Eliz. 1. for assurance of the Queenes power ouer all estates. And so shall the statute made 33. P. 8. for the maintenance of Artillerie, and debarring unlawfu'l games. Statutes declared at sessions.

Iustices of peace haue authoritie to enquire of, heare and determine diuers other offences, prohibited by seuerall Statutes in force, but the authoritie is specially giuen vnto them by the wordes of the Queenes commission of peace, and not by the letter of any of y^e said statutes, and therefore see the Commission, and peruse the statutes placed in their apt titles, in this treatise.

1 That no Shirife shalbe Iustice of peace in the Countie where and when he is Shirife. S. Shirife, 21. Sherife not Justice.

2 That Shirifes shal deliuer al indictments & presentments taken before them at their turnes, to the Iustices of peace, and that the Iustices shal make proces against, arraigne, and deliuer the offenders. S. Shirifes, 12, 13, 14, 15. Indictments in Turnes.

3 That ii. Iustices of peace may examine Sherifes, vnder Sherifes, shire Clerkes & Bailifes of hundreds, of entering of plaintes before them, and execution of proces, and who shall appoint those Iustices, and how they shall reforme offences. S. Sherifes, 16, 20. Examination of Sherifs, &c.

4 That the Sherifes shall make no estretes to leuy amerciaments vntill two Iustices haue had the ouersight therof, & that one part of the estretes indented shal remaine with the Iustices. S. Shirifes, 18. Estretes.

5 That Iustices may sweare the Shirifes Bailifes to gather but their duetie, and after examine them thereof. S. Shirifes, 19. Sherifes Bailifes.

6 Where Iustices of peace may direct their precept, to be executed out of their limits of their commission, S. Prison, 2. Indictments, 2, 3. Laborers, 28. Bridges, 5. Precept into another countie.

7 For the authoritie of Iustices of peace concerning the edifying of gaoles in certaine counties, the assessing of the shire, the appoyning Prisons.

ting of collectors, & surueiours, & calling the to accōpt. S. Prison. 1. 2.
8 To what prisons Iustices of peace shall commit offenders, See Prison. 7.

Offenders.

Gunners.

9 That a Iustice of peace shal receiue the names of those which shoote in gunnes, & cause them to be recorded, S. Gunnes, 11.

Hospitalles.

10 That two Iustices of peace shall be assistant to the Bishop or his Chauncellor, to take their accompt, which haue the collection of hospitall lands, S. Hospitals. 1.

Panelles.

11 That Iustices of peace may reforme panels, returned before them, S. Iurors. 8.

Concealments.

12 That Iustices of peace may take enquests to inquire of concealments of other enquests, S. Iurors. 9.

Mariners.

13 For Iustices authoritie, in taking Mariners to serue the Q. on the sea, S. Mariners. 3.

Physicians.

14 That Iustices within London & vii. miles compasse, shal assise the Colledge of Physicians, to execute the statutes for them prouided, S. Physicians. 10.

Making Iustices.

15 That none hath authoritie to make Iustices of peace, but the Queene, S. Prerogatiue. 17.

Riots.

16 That Iustices of peace shal arrest those which commit Riots, inquire of Riots, and certifie the same, S. Riots. 1. 2. 3. 5.

Inquire of Riots.

17 That commissions shalbe awarded, to inquire of the defaulte of Iustices of peace touching inquire of riots, And that the Chauncellors shal direct a writ vnto them to make inquire, S. Riots. 6.

Maintainers.

18 What the Iustices shall for, which doe not certifie the names of the maintainers, or imbraceors, with their misdemeanours, by whose meanes any Riot is not found by the Iurie, S. Riots. 15.

Rebellions.

19 For the dutie of Iustices of peace, concerning the executing of the statute made against vnlawfull and rebellious assemblies, S. Riots. 16. &c.

Preachers.

20 For the dutie of Iustices of peace, concerning the examination and punishment of any which shall disturbe, or misse any preacher in his sermon, or which shall rescue or disturbe the arrest of any such offender, or suffer him to escape, S. Preachers. 1. 2. 3.

Dockettes.

21 That Iustices of peace shall receiue Dockets, of the high Constables, petite Constables, & headboroughs, of all such things which be purueied for the Q. within the same County where &c. And shal deliuer them ouer to the Lord Stewarde, Treasurer, or Comptroller of the Queenes house, S. Purueyors. 29.

Abiured.

22 Where a Iustice of peace may take an abiured person out of sanctuarie, S. Sanctuarie. 9.

23 Where

23 Where Iustices of peace shall execute the commission of Sewers. *Sewers.*
Sewers. S. Sewers. 16.

24 That Iustices of peace shall limit vitailers gayne, and punish *Vitailers.*
 them which take exceffive. *S. Vitailers. 3.*

25 That Iustices of peace may enter into a marchauntes house *Vintners.*
 which denyeth to sell wine, at the price assessed &c. and sell and de-
 liuer the same. *S. Wines. 4.*

26 That none shall sell wines in townes not corporate, but by *Wines.*
 the assignement of the Iustices of peace. *S. Wines. 9.*

27 Where two Iustices shal deuide a wood, if the owner & com- *Woods.*
 moners thereupon cannot agree. *S. Woods. 8. 9.*

28 For the authoritie of Iustices in punishing those which goe or
 ryde armed. *S. Armour. 10.*

29 The forfaiture of a Iustice of peace, which hauing notice of a
 Iesuite or Priest, doeth not thereof aduertise some of the *Queenes*
 counsell, &c. *S. Iesuities. 12.*

30 That there shalbe Iustices of peace in Wales, their Authority,
 duety &c. *S. Wales. 30. 31.*

Laborers, Artificers, Seruants, Apprentices.

NO person shal retaine, hire, or take into seruice, or cause to be re- *None of these*
 tained, hired, or taken into seruice, nor any person shal be retay- *seruants shalbe*
 ned &c. to worke for any lesse time then for one whole yere, in any of *retained vnder*
a yere.
 sciences, or artes of Clothiers, Wollen cloth weauers, tuckers, ful-
 lers, Clothworkers, Sberemen, Diers, Hosiars, Tailers, Shooma-
 kers, Tanners, Pewterers, Bakers, Bruers, Glouers, Cutlers,
 Smithes, Ferros, Carriers, Sadlers, Spurriers, Turners, Cap-
 pers, Hatmakers, or Felmakers, Bowyers, Fletchers, Arrowhead-
 makers, Butchers, Cookes, or Millers. *5. El. 4.*

2 Every person vnmarried, & every other person vnder the age *These persons*
 of xxx. yerres married, hauing bene brought vp in any of the said artes, *vpon request*
 or sciences, or that hath vsed or exercised any of the by the space of iii. *are compellable*
 yerres, or more, and not hauing landes, tenements, rentes, or heredita- *to serue in*
 ments, copyhold or freeholde of one estate of inheritance, or for terme *handicrafts.*
 of any life or liues, of the cleere yerely value of xl. s. not being worth
 of his owne goods the cleere value of x. li. and so allowed by two Iusti-
 ces of the peace of the countie where he hath most commonly inhabi-
 ted by the space of one whole yeere, and vnder their hands and seales,
 or by the Maior, or other head officer of the citie, borough, or Towne
 corporat, where such person hath most commonly dwelled by the space
 of one whole yere, & two Aldermen, or two other discrete Burgeses

of the same citie &c. if there bee no Aldermen, vnder their handes and seales, nor being retained with any person in husbandry, or in any of the foresaid artes according to this statute, nor lawfully retained in any other arte or science, not being lawfully retained in householde, or in any office with any noble man, gentleman, or others, according to the lawes of this realme, nor hauing a conuenient farme or other holding in tillage whereupon he may employ his labour, shal during the time that he or they shall be so vnmarried, or vnder the said age of xxx. yeeres, vpon request made by any person vsing the Arte or Mysterie wherein the said person so required hath bene exercised as is aforesaid, be retained, and shall not refuse to serue according to the tenor of this Statute, vpon the paine hereafter mencioned. 5. Cl. 4.

These persons
are compellable
to serue in hus-
bandry.

3 ¶ Every person betwene the age of xii. yeeres, & the age of lx. yeeres, not being lawfully retained, nor apprentice with any fisherman or Mariner haunting the seas, nor being in seruice with any kitter or carrior of any cozne or meale, for prouision of the citie of London, nor with any husband in husbandry, nor in any citie, towne corporate, or market towne, in any of the artes or sciences appoynted by this statute, to haue or take apprentices, nor being retayned by the peere or halfe the peere at the least, for the digging, seeking, finding, getting, melting, fining, working, tryng, or making of any Siluer, Tinne, Lead, Iron, Copper, stone, seacole, stonecole, Doozecole, or cherkecole, nor being occupied in or about the making of any glasse, nor being a gentleman bozne, nor being a student, or scholer in any of the Vniuersities, or in any schole, nor hauing lands, tenements, rents, or hereditaments, for terme of life, or of one estate of inheritace of the cleere perely value of xl. s. nor being worth in goods & cattels to y^e value of x. li. nor hauing a father or mother then liuing, or other ancestoz, whose heire apparant he is then hauing lands, tenements, or hereditaments, or the perely value of x. li. or aboue, or goods, or cattels of the value of x. li. nor being a conuenient or necessary officer, or seruauant lawfully retained as is aforesaid, nor hauing a conuenient farme or holding, whereupon he may or shall imploy his labor, nor being otherwise lawfully retained, according to the true meaning of this stat. shalbe compelled to be retained to serue in husbandry, by the pere, with any person that keepech husbandry, and wil require any such person to serue, within the same shire where he shalbe so required. 5. Cl. 4.

Retaining or
giving wages
contrary to the
statute.

4 ¶ If any person do by any secret meanes, directly or indirectly retaine, or keepe any seruant, workman, or laborer, or doeth giue any more or greater wages, or other commodity, contrary to the true meaning of this statute, or contrary to the rates or wages assessed or appointed

pointed in the proclamations made for that purpose, in the county, citie or borough, where he doth inhabit, then he that shal so offend and be thereof lawfully convicted before any iustice of peace of the countie, or the Maior, or other head officer of the citie, borough, or town corporate, and two Aldermen, or two discrete Burgeses if there be no Aldermen, or before the lord President & council in the marches of Wales, or the Lord President & council in the Northparts, shal suffer imprisonment by the space of x. daies, without baile or mainprise, and forf. b. li. And euery person that shal be so retained & take wages contrary to this statute, or any branch thereof, or of the saide proclamation, and shalbe thereof convicted before the Iustices aforesaid, or any two of them, or before the Maior or head officers aforesaid, shal suffer imprisonment by the space of xxi. daies without baile or mainprise. And euery retainer, promise, gift, or paiement of wages or other thing whatsoever, contrary to the true meaning of this Statute, and euery writing and bond made for that purpose, shalbe utterly void. 5. Cl. 4. How the wages shalbe rated. S. Iustice of peace, 66.

Taking of wages contrary to the Statute

5 ¶ If any person after he hath retained any seruant, shall put away the same seruant before the end of his terme, vnles it be for some reasonable and sufficient cause to be allowed before two Iustices of peace, or one at the least within the said countie, or before the Maior, or other chiefe officer of the citie, borough, or towne corporate, where in the said person inhabiteth, or if any such Master, Mistres, or Dame, shall put away any such seruant at the ende of his terme, without one quarters warning giuen before the said ende, then euery such master &c. so offending, shal forfeit xl. s. vnlesse hee bee able to prooue by two sufficient witnesses, some reasonable and sufficient cause of putting away of his seruant during the terme, or a quarters warning giuen before the end thereof, before the Iustices of Oyer and terminer, Iustices of Assise, Iustices of the peace in the quarter sessions, or before the Maior or head officer of any Citie, Borough or towne corporate, and two Aldermen, or two other discrete Burgeses of the same citie &c. if there be no Aldermen, or before the Lord President and Counsell in the marches of Wales or in the North. 5. Cl. 4.

Putting away a seruant within the terme.

Putting away a seruant without a quarters warning.

6 ¶ If any seruant retained according to this statute, depart from his master, mistres, or dames seruice before the end of his terme, vnles it be for some reasonable and sufficient cause, to be allowed as is aforesaid: Or if any seruant at the ende of his terme depart from his masters &c. seruice, without one quarters warning giuen before the end of his terme, and before two lawfull witnesses, or if any person compellable and bound to be retained and to serue in husbandry, or in any

The seruant departing within his terme, or without warning, or refusing to serue.

other sciences aboue remembred, by the perr, or otherwise, doe vpon request made, refuse to serue for the wages rated and appointed by the Queens proclamation in that countie, citie, borough where &c. according to the forme of this statute, or promise or couenant to serue, and doe not serue according to the tenour of the same, then euery seruant so departing away, and euery person so refusing to serue for such wages, vpon complaint therof made by the master, &c. of the said seruant, or by the partie to, or with whom the said refusall is made, or promise not kept, to two Iustices of peace of the countie, or to the Maior or other head officer of the Citie, Borough &c. and two Aldermen, or two other discrete Burgeses of the same City &c. if there be no Aldermen where the said Master &c. or the said party to or with whom the sayd refusall is made, or promise not kept, dwelleth, or to eyther of the sayd Lords Presidents and Councell of Wales, & the North, the said Iustices, Presidents and Councell, and the said Maiors, head officers, and other persons of cities, Boroughs &c. or any of them, haue power to heare and examine the matter, and finding the sayd seruant, or the said partie so refusing, faultie in the premisses, vpon such proofes and good matter, as to their discretions shalbe thought sufficient, to commit him to ward, there to remaine without baile or mainprise, until he shal be bound to the partie, to whome the offence shalbe made, to serue and continue with him, for the wages limitted according to the tenour of this statute, and then to be discharged vpon his deliuerie, without paying any fee to the Gaoler where he shall be so imprisoned. 5. El. 4.

Servants shal
not depart into
other townes
without testis-
moniall.

7. ¶ None of the sayde retayned persons in husbandrie, or in any the Artes or sciences aboue remembred, after the time of his retainer expired, shall depart forth of one Citie, Towne, or parish to an other, Nor out of the Lathie, Rape, wapentake, or hundred, Nor out of the countie or shire where he last serued, to serue in any other citie, towne corporate, Lathie, Rape, wapentake, hundred, shire, or countie, vnlesse he haue a testimoniall vnder the seale of the sayd citie or towne corporate, or of the constable, or other head officer, and of two other honest householders of the citie, towne, or parish where hee last serued, declaring his lawfull departure, and the name of the shire and place where hee dwelled last befoze his departure, according to the forme hereafter expressed, which certificat, or testimoniall shall be written and deliuered vnto the sayd seruant, and also registred by the parson, vicar, or curat, of the parish where such master, mistres, or dame doth dwell, taking for the doing thereof ii. d. and not aboue. Memorandum that A. B. late seruant to C. D. of E. husbandman or Taylor &c. in the sayd Countie, is licensed to depart from his sayde Master, and is at his libertie

The forme of a
Testimoniall.

libertie to serue els where, according to the statute in that case made and provided. In witnesse whereof &c. dated the day, moneth, yeere, and place &c. of the making thereof. 5. El. 4.

8 ¶ No person that shall depart out of service, shall be retained or accepted into any other service, without shewing before his retainor, such testimoniall as is before remembred to the chiefe Officer of the towne corporate, and in euery other towne and place to the Constable, Curate, Churchwarden, or head Officer of the same where hee shall be retained to serue, vpon the paine that euery such seruant so departing without such certificat or testimoniall, shall be imprisoned vntill he procure a testimoniall or certificat, the which if he cannot doe within the space of xxi. dayes next after the first day of his imprisonment, then the sayd person shall be whipped, and vsed as a vagabond, according to the lawes in such case provided. And euery person retayning any such seruant without shewing such testimoniall, or certificat, shall forfeite for euery such offence v. li. And if any such person shall be taken with any counterfeit or forged testimoniall, then he shall be whipped as a Vagabond. 5. El. 4.

No seruant shall be retained without shewing his Testimoniall.

Counterfaine testimoniall.

9 ¶ All Artificers and laborers, being hyred for wages by the day or weeke, shall betwixt the middelt of the monethes of March and September, be, & to continue at their worke, at or before v. of the clocke in the morning, and continue at worke, and not depart vntill betwixt vii. & viii. of the clock at night, except it be in the time of breakefast, dinner, or drinke, the which times at the most shall not excede aboue two houres and a halfe in the day, that is to say, at euery drinke one halfe houre, for his dinner one houre, and for his sleepe when he is allowed to sleepe, (the which is from the middelt of May to the middelt of August) halfe an houre at the most, and at euery breakefast one halfe houre. And all the said artificers and laborers betwene the middelt of September, and the middelt of March, shall be & continue at their worke, from the spring of the day in the morning vntill night, except it be in time afoze appointed for breakefast and dinner, vpon paine to forfeite one penny for euery houres absence, to be defaulten out of his wages that shall so offend. 5. El. 4.

How long workmen shall continue at their labor.

10 ¶ Euery artificer and labourer that shall lawfully retayned, in or for the building, or repayring of any Church, house, ship, mill, or euery other peece of worke taken in great, in taske, or in grosse, or that shall take vpon him to make or finish any such thing or worke, shall continue and not depart from the same (vnlesse it be for not paying of his wages or hyper agreed on, or otherwise lawfully taken or appoynted to serue the Queene &c. or for other lawfull cause or without licence

None shall depart from his worke before it be finished.

tence of the master or owner of the worke, or of him that hath charge thereof) before the finishing of the same worke, upon paine of imprisonment by one moneth without baile or mainprise, and the forfeiture of v.li. to the party from whom he shall so depart, for the which the said party may haue his accion of debt against him that shall so depart in any the Queenes courts of record, besides such ordinary costes and dammagages, as may or ought to be recovered by the common lawes, for any such offence, wherein no W. &c. E. &c. And no other artificer or labourer, retained in any seruice to worke with the Queene, or any other person, shall depart from her maiestie, or from the said person until the worke be finished, if the person so retayning the artificer or labourer, so long wil haue him, and pay him his wages, or other duties, upon paine of imprisonment of euery person so departing by the space of one moneth. 5. Cl. 4.

Going into other shires for harvest worke.

11 ¶ But all persons of the Counties where they haue accustomed to goe into other shires for harvest worke, and hauing at that time no harvest worke sufficient in the same time, nor Countie where hee or they dwelt in the winter then last past, bringing with him or them, a testimoniall vnder the hand and seale of one Iustice of the peace of the shire, or other head officer of the towne or place where he or they come from, testifying the same, for the which he shall not pay aboue i.d. (other then such persons as shalbe retained in seruice according to the forme of this stat.) may resort in harvest of hay or corne, from the countreyes wherein their dwelling places are, into any other place or countrey, for the onely mowing, reaping, and getting of hay, corne and graine, and for the only working of harvest works, as they might haue done before the making of this statute. 5. Cl. 4.

A seruant or workman assaulting his master.

12 ¶ If any seruant, workman, or labourer, shall wilfully or maliciously make any assault or affray upon his master, mistres, or dame, or upon any other, that shall at that time haue the charge or ouersight of him, or of the worke wherein hee is appoynted or byrd to worke, and being therof convicted before any two of the Iustices, Mayor, or head Officer aforesaide, where the said offence is committed, or before eyther of the sayde Lordes, Presidents, and Councell before remembred, by confession of the said seruant, workman or labourer, or by the witnesse and oath of two honest men: Then euery such offender shall suffer imprisonment by the space of one whole yeere, or lesse, by the discretion of two Iustices of peace, if it be without a Towne Corporate, and if it be within a towne corporate, then by the discretion of the Mayor, or head Officer of the same towne corporate, with two others of the discreetest persons of the same corporation at the least. And if the

the offence shal require further punishment, then to receiue such other open punishment (so as it extend not to life, nor limme) as the Iustices of peace in open sessions, or as the more part of them, or the sayde Mayor, or head officer, and sixe or foure at the least of the discreete persons of the same corporation, before whom y^e offence shalbe examined, shal thinke conuenient for the quality of the said offence so committed. 5. Cl. 4.

13 ¶ In the time of hay, or corne harvest, the Iustices of peace, and euery of them, and also the Constable, or other head officer of euery towneship, vpon request, and for the auoyding of the losse of any corne or hay, shall and may cause all such artificers and persons, as bee meete to labour by the discretion of any of the said Iustices, Constables, or other head officers, to serue by y^e day for the mowing, reaping, shearing, getting, or inning of corne and hay, according to the skil and qualitie of the person, and none of the said persons shall refuse so to doe, vpon payne to suffer imprisonment in the stockes by the space of two dayes and one night. And the Constable of the Towne or other head officer of the same where the saide refusall shalbe made, vpon complaint to him made shall haue authoritie to set the said offender in the stockes for the time aforesaide, and shall punish him accordingly, vpon paine to lose and forfait for not doing therof the summe of xli. s. 5. Cl. 4.

Artificers are compellable to worke in harvest.

14 ¶ Two Iustices of peace, the Mayor, or other head officers of any Citie, Borough, or Towne corporate, and two Aldermen, or two other discreete Burgessees of the same Citie &c. if there be no Aldermen, shall and may appoynt any such woman, as is of the age of xii. yeeres, and vnder the age of xl. yeeres, and unmarried, and forth of seruice, as they shall thinke meete to serue, to be retayned or serue by the yere, by the weeke, or day, for such wages, and in such reasonable sort, as they shall thinke meete. And if any such woman do refuse so to serue, then it shalbe lawfull for the said Iustices, Mayor, or head officer to commit her to ward, vntill she shalbe bounden to serue as is aforesaid. 5. Cl. 4.

Women compellable to serue.

15 ¶ Euery person being an housholder, and hauing and vsing halfe a plough land at the least in tillage, may haue and receiue to an apprentice any person aboue the age of tenne yeeres, and vnder the age of xviij. yeeres, to serue in husbandrie, vntill his age of xxi. yeeres at the least, or vntill the age of xxiii. yeeres, as the parties can agree, and the said retayner and taking of an apprentice, shalbe done by an indenture. 5. Cl. 4. s. 12. R. 2. 5. if a childe vse husbandry vntill the age of xii. yeeres, and be made an Apprentice after to any mystery, his coue-

as husbandman may take an Apprentice.

Quere.

What pientis
ces inhabi
tants in
Townes cor
porate may
take.

covenant shalbe voyd. But whether this be in force, or repealed by the
generall words of 5. El. 4. Quere.

16 ¶ Every person being an householder, and xliiii. yeeres olde at
the least, dwelling in any Citie, or Towne corporate, and vsing any
arte, mysterie, or manuel occupation there, shall and may, during the
time that he shall there dwell and vse any such art &c. haue and retaine
the sonne of any freeman not occupping husbandry, nor being a labou
rer, and inhabiting in the same or in any other citie or towne corporate
to serue and be bound as an apprentice after the custome and order of
the citie of London, for vii. yerres at the least, so as the terme of such
apprentice doe not determine before he shalbe of p age of xliiii. yerres
at the least, 5. El. 4.

These must
take pientis
whose parnts
may dispend
some lands.

17 ¶ It is not lawfull for any person dwelling in any Citie or
Towne corporate, vsing any of the mysteries or craftes of a marchant
trafficking by trade into any the parts beyond the sea, mercer, Dra
per, Goldsmith, Ironmonger, Ambroiderer, or Clothier, that doth put
cloth to making & sale, to take an apprentice or seruant, to be instruc
ted in any of the artes, occupations, craftes, or mysteries, which any
of them doe vse (except such seruant or apprentice be his sonne) or els
that the father or mother of such Apprentice or seruant, shall haue
at the time of the taking of him, lands, tenements or other heredita
mentes, of the clere peerely value of xl. s. of one estate of inheri
tance or freeholde at the least, or to be certified vnder the handes and
seales of thre Justices of the peace of the shire or shires where the
said lands, tenements, or other hereditaments doe lie, to the Maior,
Ballife, or head Officer, of such citie, or towne corporate, and to be
inrolled among the records there. But if any such Merchaut,
Mercer, Draper, or other of the artificers aforesaide, doe dwell in a
market Towne not incorporate, then the father or mother of an
apprentice by him taken, must haue landes, &c. to the value of thre
pounds &c. to be certified by thre Justices, and inrolled as is afores
saide. 5. El. 4.

What pientis
ces inhabi
tants in market
Townes may
take.

18 ¶ It is lawfull for every person being an householder, & xliiii.
yeeres olde at the least, and not occupping husbandry, nor being a la
burer, dwelling in any market towne not being incorporate, so long
as the same shalbe weekly used as a market Towne, and vsing any
arte, mysterie, or manuel occupation, during the time of his abode
there, and so vsing such art &c. to haue in like maner to Apprentice
the childe or children of any other Artificer or Artificers, not occup
ping husbandry, nor being a labourer, inhabiting in the same, or in
any other such Market Towne within the same Shire, to serue as
Appren.

Apprentice, to any such arte &c. as hath beene vsually exercised in any such Market Towne, where such Apprentice shalbe bounde, in maner and forme aforesaid. And the inhabitantes of Godalming in the Countie of Surrey within the limites of the watch of the same Towne, may vse such occupations, and take and vse Apprentices and seruants, as the aforesaid inhabitants within market townes may do.

5. Cl. 4.

19 ¶ It is lawfull to any person, vsing y^e occupatiō of a Smith, wheelewright, ploughwright, milwright, carpenter, roughmason, plasterer, sawier, limcburner, brickmaker, bricklayer, tyler, slater, helper, tylemaker, linnen weauer, turner, couper, miller, earthen potter, woollen weauer, weauing huswifes or household cloth only, and none other cloth, fuller otherwise called tucker or walker, burner of Dye and Wood ashes, thatcher, or shingler, wheresoeuer hee or they shall dwell, to haue or receiue the sonne of any person as Apprentice, in maner and forme abouesaid, to be instructed in these occupations onely and in none other, albeit the father or mother of any such Apprentice haue not any landes, tenementes, or hereditamentes.

Apprentices' whose parents may dispense no lands.

5. Cl. 4.

20 ¶ It is not lawfull for any person, other then such as (at the time of the making of the statute being 12. Januar. An. Do. 1562.) did exercise any arte, misterie, or manuel occupation, to set vp, or exercise any craft, misterie, or occupation, now vsed within Englande or Wales, (except he shall haue beene brought vp therein vii. peeres at the least, as Apprentice in forme aforesaid) nor to set any person on worke in such mysterie or occupation, being not a workeman at the saide xii. Januarie, (except he shall haue beene apprentice as is aforesaid) or els hauing serued as an Apprentice, will become a Journeyman, or hyred by the yere, vpon paine that every person willingly doing the contrary, shall forfeite for every default xl.s. for every moneth.

None shall occup any craft but which hath beene Apprentice.

5. Cl. 4.

21 ¶ No person vsing the mysterie of wollen cloth weauer (other then such as be inhabiting within the Counties of Cumberland, Westmerland, Lancaster, and Wales, weauing frizes, cottons, or huswifes cloth, onely making and weauing woollen cloth commonly to be solde by any Clothier,) shall take any Apprentice, or shall in any wise instruct any person in the occupation of weauing aforesaid, in any Village, Towne, or place (Cities, Townes Corporate, and market Townes onely excepted) vntlesse such person be his sonne, or els that the father or mother of such Apprentice or seruant, shall at the time of taking such person to bee an Apprentice

Wollen weauers Apprentices.

or

Labourers. &c:

or servant, or to be instructed, haue landes, or other hereditamentes, to the cleere peerly value of iii.li. at the least, of one estate of inheritance or free holde, to be certified vnder the hands and seales of thre Iustices of peace of the shire or shires, where the saide landes &c. doe lie, the effect of the Indenture to bee registred within thre Moneths within the Parish where such master shall dwell, and to pay for such registering foure pence vpon paine of forfaiture of xx. s. for euery moneth, that any person shall otherwise take any apprentice, or set any such person on worke, contrary to the meaning of this article. 5. Cl. 4.

For iii. appren-
tices, there shal
be kept one
Journeyman.

22 ¶ Every person that hath thre Apprentices in any of the saide occupations of Clothmaker, Fuller, Shearman, Weaver, Taylor, or Shoemaker, shall retaine and keepe one Journeyman, and for euery other Apprentice aboue the number of the saide thre, one other Journeyman, vpon paine to forfait for euery default therein x. li. But this Act shall not prejudice or hinder the liberties graunted by Acte of Parliament in force to the company of Woosted makers, and weavers in the Citie of Norwich, and the Countie of Norfolk. 5. Cl. 4.

Woosted ma-
kers.

Apprentices
bound within
age.

23 ¶ Every person that shalbe bounden by indenture to serue as an Apprentice in any Arte, science, occupation, or labor, according to this Statute, and in forme aforesaid, albeit the same apprentice shall be within the age of xxi. yerres at the time of the making of his Indentures, shalbe bound to serue for the yerres in the Indentures conteyned, as largely to euery intent, as if he were of full age at the time of the making of such indentures. But no person shall by force of this Stat. be bound to enter into any apprenticeship, other then such as be vnder the age of xxi. yerres. 5. Cl. 4.

The remedie
where one re-
quired to be
bound pre-
sente doeth
refuse.

24 ¶ If any person shalbe required by any householder, hauing and vsing halfe a plough land at the least in tillage, to be an apprentice, and to serue in husbandry, or in any other kinde of arte, mystery, or science before exprested, and shall refuse so to doe, then vpon the complaint of such housekeeper made to one Iustice of peace of the Countie wherein such refusall shalbe made, or of such householder inhabiting in any Citie, towne corporat, or market towne, to y^e Mayor, Baylife, or head officer of the said citie &c. if any such refusall shall there be, they haue full authoritie to sende for the same person so refusing. And if the said Iustice, or the said Mayor, or head officer shall thinke the said person meete to serue as an Apprentice in that arte &c. wherein he shall be so then required to serue, then he hath authoritie, (if the saide person refuse to be bound as an apprentice,) to committe him

him vnto warde, there to remaine vntill he will be bounde to serue as an Apprentice shoulde serue, according to the true meaning of this Acte. 5. Eliz. 4.

25 ¶ If any such master shall misuse or euill intreate his apprentice, or the said apprentice shall haue any iust cause to complaine, or if the apprentice doe not his dutie to his master, Then the said master or apprentice hauing cause to complaine, shall repaire vnto one Justice of peace within the said Countie, or to the Maior or other head officer of the Citie, towne corporate, market towne, or other place where the said master dwelleth, who shall take such order betweene the said master and his apprentice, as the equitie of the cause shall require. And if for want of good conformitie in the said master, the said Justice, Maior, or head officer cannot agree the matter betweene him and his apprentice, then the saide Justice, Maior, or head officer, shall take bonde of the saide master to appeare at the next Sessions to be holden in the saide Countie, or within the saide Citie, Towne corporate, or Market Towne, to be before the Justices of the saide Countie, or the Maior, or head officer of the saide Towne corporate, or Market Towne, (if the sayde master dwell within any such,) and vpon his appearance and hearing of the matter before the sayde Justices, or the sayde Maior, or other head officer if it bee thought meete vnto them to discharge the sayde apprentice of his apprenticeshoode, then the sayde Justices, or foure of them at the least, whereof one to bee of the Quorum, or the sayde Maior or other head officer, with the consent of thre other of his brethren, or men of best reputation within the saide Citie, Towne corporate, or Market towne, haue power in wryting vnder their handes and seales, to declare that they haue discharged the sayde apprentice of his apprenticeshoode, and the cause thereof, and the sayde wryting so being made and inrolled by the Clerke of the Peace, or Towne Clerke, amongst the Records that hee keepeth, shall bee a sufficient discharge for the sayde apprentice against his master, his executours and administratours, the Indenture of the sayde apprenticeshoode, or any lawe or custome to the contrary notwithstanding. And if the default shall be founde to bee in the apprentice, then the sayde Justices or the sayde Maior or other head officer with the assistants aforesayde, shall cause such due correction to bee ministred vnto him, as by their discretion shall bee thought meete. 5. Eliz. 4.

The reme-
die for a
prentice
which is mis-
used by his
Master.

If there be
fault in the
prentice.

26 ¶ All indentures, couenants, promises, and bargaines, for the hauing, taking, or keeping of any apprentice, otherwise to bee made or taken, then is by this statute ordeyned, shall bee clearly

Taking of ap-
prentices con-
trary to this
statute.

boyde

Laborers. &c.

In what man-
ner all penals
ries forfeited
by this statute
shalbe imploy-
ed.

boyde in the lawe to all intences, and every person that shall take or newly retaine any apprentice contrary to the true meaning of this Acte, shall forfeite for every apprentice so taken, ten pounce, the one halfe of which forfeiture, and of all forfeitures and penalties expres- sed and mentioned in this Statute, other then such as are expressly o- therwise appointed, shall be to the Queene, her heires and successors, and the other moitie to him or them that shall sue for the same in any of the Queenes Courtes of Recorde, or before any of the Iustices of Dier and Terminer, or before any other Iustices, or President and Councell before remembred, by A. of debt J. B. or otherwise, where- in no W. C. P. &c. 5. Eliz. 4. Who in this case shall haue the forf. in corporate Townes. S. Corporations, 19.

London,
Norwich.

27 ¶ Provided alwayes that this Acte shall not be prejudiciall to the Cities of London and Norwich, or to the lawfull liberties, cu- stomes, or priuiledges of the same, concerning the hauing or taking of any apprentices, but the Citizens and freemen of the same Cities, shall and may take and retaine apprentices there, in such maner as they might lawfully haue done before &c. 5. Eliz. 4. An. 12. H. 7. 1. It was enaced that every person of the occupation of Worsted Sayes and Stannyn makers within the Countie of Northfolke, the which the foure wardens of the sayd occupations within the saide Countie peereley chosen, shall enable to keepe a Prentice, shalbe at libertie to take and keepe at al times one or two apprentices, any person or per- sons put to the foresaide occupation, so that he passe not two at once at the most. And in likewise euery person shalbe at his libertie, to put a- ny Apprentise to the foresaid occupations, any act or ordinance before made to the contrary notwithstanding. The which statute seemeth to be repealed for the inhabitants dwelling in all other partes of the County of Norf. (sauiug in Norwich) by y^e stat. of 5. El. 4. which re- pealeth all stat. before made touching the hyring, keeping, working, wages, & order of seruants, workmen, artificers, apprentices, & labo- rers, and for Norwich onely it seemeth to be in force by this prouiso.

Seruants de-
parting into
another shire.

28 ¶ If any seruant or apprentice of husbandry, or of any arte, science or occupation aforesaide, unlawfully depart or flie into any other shire, it shalbe lawfull to the saide Iustices of peace, and to the saide Maiors, Baylifes, and other head officers of Cities & Townes corporate, being Iustices of peace there, to make and graunt writs of Capias, so many, and such as shall be needefull, to be directed to the Sherifes of the Counties, or to other head Officers of the places whither such seruants or apprentises shall so depart, to take their bo- dies, returnable before them at what time shall please them, so that

if

if they come by such proces, they shall be put in prison till they shall finde sufficient suertie, well and honestly to serue their masters, mistresses or dames, from whom they so departed, according to the order of the lawe 5. El. 4.

29 ¶ But it is lawfull to the high Constables of hundreds in euery shire, to holde, keepe, & continue petit Sessions, otherwise called statute Sessions, within the limits of their authorities, in all shires wherein such sessions haue bene vsed to be kept, in such manner, as heretofore hath ben vsed, so as nothing be by them done therein contrary or repugnant to this act. 5. El. 4.

30 ¶ It shalbe lawfull to euery owner of Shippes or vesselles, and to euery housholder vsing y^e trade of the seas by fishing or otherwise, and to euery Gunner commonly called a Canoner, and to euery Shipwright, to take or kepe one or more apprentice or apprentices to be brought vp in the saide trades, euery of the saide apprentices to be to them bound for x. yeeres or vnder. And euery apprentice so taken being aboue seuen yerres of age, shalbe by the same couenants bound, ordered, and vsed to all intents according to the custome of the citie of London, so that the same couenant or bonde of apprenticeship bee made by writing indented and inrolled in the towne where the same apprentice shall be then inhabiting if it be a towne corporate, & if the towne be not incorporat, then to be inrolled in the next towne corporate to the habitation of euery such apprentice. And the officers of euery such towne corporate shall take for euerie suche inrolment not aboue xii. d. 5. El. 5. 27. El. 11. to continue till the end of the next Parliament now next ensuing.

Owners of Shippes, Gunners, and shipwrights, may take p^rentices.

31 ¶ If any Begggers childe being aboue the age of five yeeres and vnder xiiii. yerres, being male or female shall be liked of, by anie subiect of this realme of honest calling, who shall be willing to take the saide childe into seruice, the said subiect shall at the next generall sessions to be holden for the sayde Countie, by order of the Iustices there, or the most part of them, haue the said childe bounde with him (if it be a manchilde) till the age of xiiii. yeeres, if it bee a woman childe, till the age of xviii. yeeres. And if the childe doe after depart or be taken, or be inticed from the said Master or Mistres, the Maister or Mistresse, to haue their remedie by order of the statute of Laborers as for their seruant, either by way of accion or otherwise, aswell against the childe, as against the taker or inticer thereof. 14. Eliz. 5. 18. El. 3. 27. Eliz. 11. to continue til y^e end of the next Parliament now next ensuing.

if Begggers childe taken apprentice,

32 ¶ Euery crafts man of the mistery and occupation of wo^rked

Inhabitants in lime and p^rarmouth.

sted making, dwelling within any of the townes of Linne and great
 Parnmouth, in the countie of Norfolk & suburbes of the same, may
 haue and take apprentice or apprentices (being male) of the age of
 xiiii. yerres and byward, & being the Queenes naturall subiectes, for
 the terme of vii. yerres & not vnder, so that none of them exceede the
 number of two at once, to learne, vse, and exercise the said craft within
 either of the said townes or suburbes of the same, albeit the father of
 the same apprentice may not expend in lands & tenements to þy perely
 value of xx. s. Any act or ordinaunce to the contrarie made or to bee
 made notwithstanding. 14. H. 8. 3. 26. H. 8. 16. 5. El. 4.

1 For conspiracies made by artificers or labourers for the order
 of their workes. S. Artificers. 1.

2 Where the Master shal put away his seruant for wearing of
 filke. S. Apparell. 1.

3 That none shall worke hats with foreine wolles, but which
 hath bene apprentice. S. Hattes. 3.

4 Howe many apprentices a Hatmaker may take, and for what
 time. S. Hattes 6.

5 That none shalbe a Weauer but which hath ben apprentice.
 S. Drapery. 76.

6 For the authoritie and duetie of Iustices of peace, Maiors, &c.
 concerning the executing of the statute of Labourers. S. Iustice of
 peace. 66, 67, 68. Corporations. 19.

☞ Lancaster.

What lands euery Iuror ought to dispend which shal indict in
 a foreine Countie, any person dwelling in the Countie of
 Lancaster, and e conuerso. S. Iurors. 17. 18.

2 For fines leuied before the Iustices of Assise at Lancaster, of
 landes within the Countie of Lancaster. S. Fines. 12.

3 That Tales de circumstantibus is grantable in the county of
 Lancaster where a full Iurie doth not appeare. S. Jurors. 21. 23.

4 For Exigents awarded against any person dwelling in the
 countie of Lancaster. S. Exigents. 6. 10. Liueries. 5.

5 For commissions of Sewers to be graunted within the fees of
 the Duchie of Lancaster. S. Sewers. 17. 19.

6 How offices found in the countie of Lancaster shall be recca-
 ued, and that they shall be certified into the Court of Wardes.
 S. Offices. 7.

7 For inrolments of bargaines and sales, of lands in the county
 of Lancaster. S. Inrolments. 4.

8 For the inrolling of fines and Recoveries in the Countie of Lancaster. S. Fines, 29. &c.

Laple.

If any do present to a Church being void, the advowson whereof is the Queenes, so that suite is commenced betwixt the Queene and the other, if the Queene by iudgement of the Court doe recover her presentation, though it be after the Laple of vi. moneths from the time of avoidance, no time shall prejudice her grace so that shee present within the time of vi. monethes. Prerog. Regis. 17. Ed. 2. 8.

No laple as
gainst the
Queene.

2 **W**hen any Ordinarie hath given a benefice, which came rightfully to him by Laple, and after the Queene presenteth, and commenceth her suite against the Patron, in this and all such like cases where the Queenes title is not tried, the Ordinarie or possessor shall be received to counterpleade the title made for the Queene and to have his answer, shewe and defende his right, though hee claime nothing in the patronage. 25. Ed. 3. 7. pro clero. S. Incumbent.

The Ordina-
rie may coun-
terpleade the
Queenes title
for a benefice
fallē by Laple.

1 Where title to conferre or present by Laple shall not accrue vpon depriuation, but after vi. moneths after notice. S. Eccles. &c. 5.

Leases.

A leases made of any manors, lands, tenements, or other hereditaments, by writing indented under seale, for terme of yerres, or for terme of life, by any person or persons beeing of full age of xxi. yerres, having any estate of inheritance, either in fee simple, or in fee, taile, in their owne right, or in y^e right of their Churches, or wiues, or jointly with their wiues, of any estate of inheritance made before the couerture or after, be good & effectuell in the law against the lessors, their wiues, heires and successors, and every of them according to such estate as is comprised in every such indenture of lease, in like maner as the same should have bene, if the lessors thereof and every of them at the time of y^e making of such leases had ben lawfully seised of the same lands comprised in the said indenture, of a good and perfect estate in fee simple to their owne onely uses. But this acte doeth not give any libertie to any person to make any more farmes, leases, or taking of any lands &c. then he should or lawfully might have done before the making of this act. 32. H. 8. 28.

Leases by te-
nant in taile or
of the wiues
landes.

2 **T**his act doth not extend to any leases made of any manors, landes &c. being in the handes of any farmer, or farmers, by vertue of any olde lease, vnlesse the same olde lease be expired, surrendered, or ended, within one yeere next after the making of the sayde newe lease, nor to any graunt made of any reuerston of any manors, lands &c. nor to any lease of any manors, landes &c. which haue not mooste

Special obser-
uations of lea-
ses to be made
by tenant in
taile or of the
wiues landes.

Leases.

commonly ben letten to farme, or occupied by the farmers thereof by the space of twentie yerres next befoze such lease thereof made, nor to any lease made without impeachment of waste, nor to any lease made aboue the number of xxi. yerres, or thye liues at the most, fro the day of the making thereof, and vpon euery such lease there shalbe reserved yerely during y same lease due & payable to the lessors, their heires & successors to whome the same lands should haue come after the death of the lessors, if no lease thereof had bene made, & to whome the reuerfion thereof shal appertaine, according to their estates and interestes, so much yerely farme or rent or more, as hath byn moſte accuſtomeably payed for the manors, landes &c. so letten within xx. yerres next befoze such lease thereof made. And euery person to whom the reuerfion of such manors, lands &c. so letten shal appertaine after the death of such lessors, or their heires, shal & may haue such like remedy & aduantage, to all intents, against y lessees, their executors and assignes, as the same lessors might haue had, so that if the lessor were seised of any especiall estate taile of the same hereditaments at the time of such lease, the issue or heire of the especiall estate shal haue the reuerfion, rentes, and seruices reserved vpon such lease after the death of the said lessor, as the lessor himſelfe might or ought to haue had, if he had liued. 32. H. 8. 28.

The wife shall
be partie to e-
uery lease
made of her
lande.

3 ¶ The wife shalbee made partie to euery lease made by her husband, of any manors, lands &c. being the inheritance of the wife, and euery such lease shall be made by indenture in the name of the husband and his wife, and she shall seale the same, and the farme and rent shalbe reserved to the husband and to the wife, and to the heires of the wife, according to her estate of inheritance in the same, and the husband shall not alien, discharge, graunt, or giue away the same rent reserved, nor any part thereof longer then during y couerture, without it be by fine leuied by the husband & wife, but the same rent shal remaine, descende, reuert, or come after the death of such husbande vnto such persons and their heires, in such sort as the landes so leasid should haue done, if no such lease had thereof beene made. 32. H. 8. 28.

Vpon leases
made by Col-
ledges, a third
part of the rent
shalbe reserved
to be payde in
Coine.

4 ¶ No Master, Prouost, President, Warden, Deane, Gouernor, Rector or chiefe ruler of any Colledge, Cathedrall Church, Hall, or house of any learning in any of the Uniuersities of Cambridge, or Oxforde, Nor no Prouost, Warden, or other head officer of the Colledges of Winchester or Eaton, nor the corporation of any of the same, by what title stile or name so euer they now bee, shal, or may bee called, shall make any lease for life, yues, or yeeres,

of

of any their landes, tenements, or other hereditaments, to the which any tithes, arable land, medowe, or pasture doeth or shal appertaine, except that the one third part at the least of the olde rent, be reserved and payde in corne for the sayde Colledges, Cathedrall Church, Walles, and houses, that is to say, in good wheate after vi. s. viii. d. the quarter, or vnder, and good mault, after v. s. the quarter, or vnder, to be deliuered peereley vpon dayes prefixed, at the said Colledges, Cathedrall Church, Walles or houses, And for default thereof, to pay to the said Colledges, Cathedrall Church, Walles or houses, in ready money, at the election of the sayd Lessees, their executors, administrators and assignes, after the rate as the best wheate and mault in the market of Cambridge, for the rents that are to be payd to the vse of the house or houses there: and in the market of Oxforde, for the rentes that are to be payde, to the vse of the house or houses there: and in the market of Winchester, for the rentes that are to be payde to the vse of the house or houses there: and in the market of Windsor, for the rentes that are to be payde to the vse of the house or houses at Eaton, is, or shalbe solde the next market day before the sayd rent shalbe due, without fraude or deceite. And all Leases otherwise hereafter to be made, and all collaterall bondes or assurance to the contrary by any of the sayd corporations, shalbe voide in lawe to all intents and purposes. The same wheate, mault, or the money comming of the same, to be expounded to the vse of the reliefe of the commons and dyet of the sayd Colledges, Cathedrall Church, Walles and houses onely, and by no fraude nor colour let nor solde away from the profite of the sayd Colledges, Cathedrall Church, Walles and houses, and the fellowes and schollers in the same, and the vse aforesaide, vpon payne of deppriuation to the gouernour, and chiefe rulers of the sayde Colledges, Cathedrall Church, Walles and houses, and all other thereto consenting. 18. Eliz.

5 But this Act, or any thing therein contained, shall not extende, or bee in any wise preiudiciall to any lease to bee made, of a Barne called Mouncken barne, with a certaine portion of tythes, rising, growing, and beeing in the parish of Southweeke in the countie of Suffex, beeing parcell of the possessions of Magdalen Colledge in Oxforde, so that the terme, demised in and by the sayde lease exceede not the number of tenn peeres, from and after the feast of Saint Michael the Archangell next comming. Neither shall this Act extend to any lease to be made by the President and Schollers of the Colledge of Saint Iohn Baptist in Oxforde, to any heire male of Sir Thomas White late Knight and Alderman of London,

Mounken
barne in Suffex.

Spfield beent
led to White.

Leetes, Liberties, Lawdayes &c.

founder of the sayde Colledge, which lease shal be made according to the meaning of the foundation and Statutes of the said Colledge, of the Manor of Fiefield, and none other hereditaments. 18. Eliz. a statute not printed.

1 For the validitie & strength of al leases made by any Abbots, Priors, Nunnes, Masters of Colledges, Chaunteries &c. before their feuerall dissolutions &c. S. Monasteries 4. 9. 11. 12. 26.

2 What leases or other acts made by the husbnde onely, or by the husband & wife of landes of the wife, shall bynd her or her heires. S. Women. 5.

3 What leases or other assurances may be made by any Bishop of their landes. S. Ecclesiast. 6.

4 What leases or other assurances may be made by any Master and fellowes, Deane and Chapter, Parson, Vicar, or other hauing spiritual lyuings. S. Ecclesiast. 7. 8.

5 How long leases of benefices with cure shall endure. S. Eccle. persons. 9. 10. 11.

6 In what cases any spiritual person may take by lease any lands, personage or Vicarage, & in what not. S. Eccle. persons. 14. 16.

7 For leases made by tenant in taile of lands, whereof the reuerfion is in the Queene. S. Recoueries. 4.

8 That a lessee for yeres may falsifie a recouerie had against him in the reuerfion. S. Recoueries. 8.

9 What remedie the recouerors haue against the tenant for terme of yeres of landes recouered for rent due, or waste committed. S. Recouery 8.

10 That lessees shall haue the same aduantage against the grantees in reuerfion, that they might haue had against the grauntors. S. Condition. 2.

11 Where lessees for life or yeeres, are compellable to make Partition. S. Partition. 4.

12 That no stranger Artificer not being Denizen, may take a lease of any dwelling house or shoppe. S. Aliens 14.

Leetes, Liberties, Lawdayes, and stewards thereof.

Of what things stewards in leetes shall enquire.

Stewards in their Leetes shall enquire by the othes of the Jurors, if al the chiefe pledges or hedboroughes, or their dosens which owe suite to the Court, be come.

And also if all the Jurors which owe suite to the Court, be come, and who be not.

And if there be any of the Lordes villaines which haue fled away
and

Leetes, Liberties, Lawdayes. &c.

and do continue in any other place, saving in the Queenes demeanes,
and if they haue continued in the same demeanes by the space of a
yeere and a day, and if any of the sayd villains be in any other leete sa-
ving in this.

And of Customes & seruices due to this Court withdrawen, how,
by whome, and in what Bailifes time.

And of Purprestures made in any land, wood, or water to annoy-
aunce.

And of walles, houses, hedges, ditches, made by, or broken downe
to annoyance.

And of bounds pulled by and caried away.

And of wayes and paths streightened or stopped.

And of waters stopped, or turned, or lead out of the right course.

And of breakers of houses, and common theeves, and of their re-
ceyvers.

And of those which commit petite larcenie in stealing of hennes,
geese, or sheafes of corne.

And of theeves which steale clothes through windowes & walles.

And of those which go in the message of theeves.

And of huies and cries leuied and not pursued.

And of the escape of any felon.

And of outlawes which returne without the Queenes warrant.

And of bloodshed, and affrayes committed.

And of the rauishment of any woman which was not presented be-
fore the Coroner.

And of Clippers and forgers of money.

And of treasure found.

And of sellers of Cloth, and Curriers of leather dwelling out of
market townes.

And of the assise of Bread and Ale broken.

And of false measures, false balances and weights, and of those
which haue double measure, & buy by the greater, and sel by the lesser.

And of those which do continually haunt Tauerne.

And of those which do sleepe by day and watch by night, and fare
well, and no man knoweth whereof they liue.

And of those which take Dooues in Winter by any engins.

And of any person imprisoned which is after let goe without war-
rant.

And of those which do flee into any Church or Churchyard, and af-
ter depart without doing that which they ought to do. 18. Ed. 2.

2 **C** Stewardes of Leetes shall inquire, heare, and determine ^{Leather,}
D. iiii, ^{Cordwainers,} in

Leetes, Liberties, Lawdayes. &c.

in their leetes all offences committed within their iurisdiction contrary to the statute provided. 5. Eliz. touching Tanners, Curriers, Shoemakers, and other artificers occupping the cutting of leather, and also shall by their discretions examine all persons suspected to offend the said act, or any parcell thereof. 5. El. 8. S. Leather.

Attachment in
the marches.

3 **S**tewards of Leetes in their Leetes haue power to enquire of all attachementes made by the officers of the Courts of the East marches, or West marches, out of any of the Counties of Westmerland, Cumberland, or Northumberland, or the Towne of Newe Castle vpon tine, and therein to proceede, as they may vpon presentments taken befoze them in their leetes, of trespasse or affaires made against the Queenes peace 31. H. 6. 3. S. Marches.

Apparell.

4 **S**tewards in Leetes and lawdayes shall and may enquire, heare and determine all offences committed within the limits of their iurisdiccions, contrary to the stat. provided. 1. & 2. H. 6. for the reformation of excelle in apparell, and where any forfaiture shall bee found within the precinct of any leete or lawday, then the owner of the same leete &c. shall haue the one halfe, and hee that will sue in any Court of recorde the other, And euery Stewarde of leete &c. hath authoritie vpon the conuiction of euery such offender to awarde proces vnto the Shirife of any shire for the apprehension of any such offender, which being apprehended shall bee committed to the Gaole &c. 1. & 2. H. 6. 2. S. Apparell, 17. 18.

Apparell.

5 **S**tewardes in their leetes & lawdayes, may enquire of all offences, & forfaitures committed contrary to the stat. provided. 24. H. 8. for the reformation of excelle in apparell, & to assesse fines vpon the offenders according to the said stat. 24. H. 8. 13. S. Apparell, 1. &c.

Distroying of
Spawne.

6 **T**he Lord of euery leete hath authoritie to enquire of all the offences committed contrary to the purport and forme of the stat. provided. (1. El. for the preservation of Spawne and Frie of fishe) within the precinct of the saide leete, such enquirie to be had in maner and sort as common amerciamentes, or other thinges enquirable in leetes haue bene lawfully vsed to bee made, and vpon euery such presentment had in any leete or court by the othe of twelue men, of any offence made contrary to the sayde statute, all forfaitures appointed for such offence shalbe vnto the Lord of the said leete, and shalbe leuied as amerciamentes for affraies committed within the precinct of such leete haue bene vsed to be leuied. And if the Stewarde of a leete or some other for him doe not charge the Iurie swozne in euery leete to enquire of all offences done within the precinct of the same leete, concerning the killing of spawn or frie of fish, Kepper, or Shedder, Salmon,

mongs, or Trouts, Pickrel, Salmon, Trout, or Barbel, being not of lawfull length, and concerning the mash of nets, and other engins, he shall forfeite for every offence fortie shillings to the D. and him that wil sue for y same. And if any Iurie sworne in a leete hauing charge to enquire of the premises doe willingly conceale and make defaulte in presentment of the offence and offendors, then the stewart or bay- life or their deputie may impanel another Iury within y same leete, to enquire of such concealement, which being founde, euery of y Iu- rors so concealing, shall forfeit xx.s. to the Lord of the leete for every offence. 1. Cl. 17. 27. Cl. 11. S. Fish. 3. 4.

7 ¶ The Lord of a Court, Leete, Lawday, or rape where any Crowne nettes, Crowne net shall be lacking, or not put in execution, shall haue the moitie of x.s. which shall be forfeited by y parish, township, hamlet, borough, or village where the default shall be. 24. H. 8. 10. 8. Cl. 15.

8 ¶ Stewards of franchises, leetes and lawdayes haue power to enquire of all and every braunch of the statute provided. 33. H. 8. for the maintenance of artillerie, of buttes, and of the making and sel- ling of bowes, in their leetes and lawdayes, & to heare and determine the same. And also by their discretion to examine all persons not ha- uing bowes, shafts, and arrowes according to the said stat. 33. H. 8. 9. S. Archerie. And where any forfeiture giuen by the said stat. shall be founde in any leete, the Lord of the same leete shall haue the moitie thereof. S. Playes. 7.

9 ¶ Stewards of leetes at their leetes haue authoritie to enquire, heare, and determine al and singuler offences committed by bitailers, artificers, workemen, and labourers, against the stat. for them proui- ded 2. Ed. 6. and to punish the offendors according to the tenor of the same stat. 2. Ed. 6. 15. S. Artificers. 1.

10 ¶ Stewards of leetes, liberties, and lawdayes, at their leetes and lawdayes shall and may from time to time, enquire, heare, and de- termine euery of the offences committed contrary to the Act proui- ded 4. & 5. H. 8. for the taking of Musters within the precinct of their leete, or libertie. 4. & 5. H. 8. 3. S. Captaines. 12. 13. 14.

11 ¶ It is lawfull to all stewartes and Bailifes in their seuerall leetes and lawdayes, to enquire, heare, and determine euery offence committed contrary to the tenor of the statute made 33. H. 8. concer- ning Crossebowes, & Handgunnes, so that alwayes no lesse fine then x.li. bee assessed vpon euery such presentment and conuiction, the one moitie of euery such fine to be leuied to the vse of the Queene, and the halfe of the other moitie to the owner of the leete or lawday, by distresse, or Accion of debt, and the other halfe of the said moitie to be to

Leetes, Liberties, Lawdayes &c.

to the partie that will pursue for the same in any of the Queenes Courtes by A. J. wherein no W. E. P. &c. And if any Jury sworne and charged to enquire for the Queene, of any offences committed contrary to the sayd statute, doe wilfully conceale any of the sayd offences, then the Stewards or Bailifes befoze whome any concealment shalbe had, haue authoritie to charge and sweare another Jurie of twelue or moe, to enquire of such concealment, and if such concealment be found and presented by the sayd Jurie, then euery of the first Jurie shall forf. for euery such concealment of euery offence xx.s. the one moitie to be leuied to the owner of the leete or lawday by distress, or Accion of debt, and the other to the J. to be recovered by A. J. &c. wherein no W. E. P. &c. But if the presentment or suit for any of the sayd forf. bee not commenced within one halfe yeere next after the offence committed, then the offender shall bee thereof clearly discharged. 33. H. 8. 6. S. Gunnes.

Cappes.

12 ¶ Stewardes in their leetes and lawdayes shall, and may enquire, heare, and determine euery of the offences committed contrary to the statute prouided 13. El. for the wearing of Cappes within the limittes of their authoritie, and where any forfaiture shall be found within the precincte thereof, the owners of the sayd leetes or lawdayes shall haue the one moitie, and y other shalbe distributed among the poore inhabiting within the same. 13. El. 13. S. Hattes 1. 2.

Highwayes.

13 ¶ The Steward of euery leete or lawday hath authoritie to enquire by the othes of the suitors, of all offences committed with in the leete or lawday against euery point and article of y statute prouided. 2. & 3. H. 8. P. & M. for the amending of high wayes, & to aslesse such reasonable fines and amerciaments for the same, as shalbe thought meete by the said steward, and the steward shall make estretes indented of all the fines, forf. and amerciaments for the defaultes presented befoze him, and shall deliuer the one part thereof sealed and signed by him to the Bailife or high Constable of euery hundred, rape, lathe, or wapentake wherein the defaultes shalbe presented, and the other to the Constable and Churchwardens of the parish wherein the defaults were made, to be deliuered perely within vi. weekes next after the feast of Saint Michael the Archangel. 2. & 3. H. 8. P. & M. 8. 5. El. 13. And the said Stewards in their leetes and lawdaies shall heare and determine euery offence, matter and cause, that shall growe or arise by reason of the statute prouided 18. El. for the amending of high waies. (8. El. 9. S. High wayes.)

Breede of
horses.

14 ¶ All Stewards of leetes and lawdayes, in the same leetes and lawdayes haue authoritie to enquire of all defaults, contempts, omissions

omissions and offences, contrarie to the effect of the statute provided 32. H. 8. concerning the breede of hozses of higher stature, & all presentments thereof found shalbe certified by the stewart, deputie stewart or court holder of the same leete or lawday in the next generall sessyons of the peace to be holden in the countie where such presentment shalbe founde, or vnto the Custos Rotulorum of the same shire, within xl. dayes after y^e presentment made. And if any such stewart, deputie, or court holder, imbesile or conceale any such presentment, or doe not certifie the same as is aforesaid, he shal forf. for euery offence xl. s. to the Q. & J. y^e will sue for the same before the Justices of peace in their quarter sessyons by A. J. &c. But the forf. of xl. s. for putting to pasture any hozse, gelding, or mare, infected wth scab or mange, vpon any forrest, chases, marishes, wast grounds, or common fields, shalbe to the Lord of the Leete, where the offence shalbe presented. 32. H. 8. 13. S. Horses. 3. 4. 5. 6. 7. 8. 9.

15 ¶ Stewards in their leetes and lawdayes haue authoritie to *Horsebreed.* enquire and determine euery default and offence of hostlers making horsebreed not sufficient, lawfull, and of due assise, according to the price of Cozne committed within the limits of their iurisdiction contrary to the stat. in that case provided. 32. H. 8. 41. S. Inholders. 2.

16 ¶ Stewards of leetes haue authoritie to enquire of such as *Tracing of Hares.* doe trace, destroy, & kil any hares in y^e snowe, wth dogge, bitch, or otherwise, and after such inquisition found, the said stewart shall assesse vpon euery such offendour vi. s. viii. d. to be forf. to y^e Lord of y^e Leete. 14. H. 8. 10. See Hunters 2.

17 ¶ The Stewarde in euery leete hath authoritie to enquire by *wines.* the othes of xii. lawfull men, of all offences committed contrary to the stat. provided 7. Ed. 6. to auoide the great prises and excelle of wines, and euery such enquirie and presentment so taken and had, shall be of such force, as if y^e same were taken in y^e k. bench, & euery of y^e paines penalties and forf. to be due by force of y^e said act, for any offence committed by any person, which shal be found by presentment before the said Steward, by verdit of xii. men (and no bill, plaint, action, or information thereof commenced in any of the Queenes courtes of Record) shalbe equally deuided into two parts, whereof one shalbe to the Q. and y^e other to y^e poore of the towne, or place where such presentment shalbe found. 7. Ed. 6. 5.

18 ¶ Stewards of leetes, liberties and lawdayes, within they^r *Fasants and Partridges.* seuerall iurisdiccions, shall and may heare, enquire, and determine of all and euery offence or offences, which shalbe committed within the precinct of their liberties, iurisdiccions, or franchises, against the tenour

nour of the act made An. 23. El. for the preservation of Fcasants and Partridges. 23. El. 10. S. Fcasants &c. 2. 3. 4. 5.

Making of
maulte.

19 ¶ The Steward in euery Leete shall haue ful power & authoritie, to enquire, heare, and determine, aswel by presentment of twelue men, as by accusation or information of two honest witnesses, of, for, and vpon all and euery the offences and forsaitures committed, (contrary to the stat. prouided 2. Ed. 6. for the true making of malte) aswel for the Queene as for the partie that shall sue, procure, or cause the same to be presented. 2. Ed. 6. 16. 27. El. 14. S. Maulte.

1 The Statute prouided 1. Ma. 12. & 1. El. 17. against vnlawfull and rebellious assemblies, shall bee read at euery Leete and lawe-daye, or the effect thereof declared. And so shall the statute made 5. Eliz. 1. for the assurance of the Queenes power ouer all estates.

2 That the forf. of xx. s. for watering of hempe is to be recouered in a Leete, S. Hempe 1.

3 At what time of the yeere a Leete is to be holden. S. Turne. 1.

4 That the Lord of a Leete shall haue the third part of the forfeiture for putting flesh to sale vpon fish dayes, S. Fish dayes 2.

¶ Leather, Tanner, Currier, Shomaker.

Gashing of
hydes.

IF any Butcher, or other person shall gash or cut the hyde of any Bull, Dre, Steere, or Cowe, whereby the same shall bee impaired, or if any Tanner offer, or put to sale any such hyde so gashed or cut, he shall forf. for euery such hyde xx. d. 5. El. 8.

Who may be
a Tanner.

2 ¶ If any person (which at the feast of S. Michael, Anno. Do. 1559. had not landes, rents, profits &c. of some estate of freeholde to the clere peerely value of xl. li. or aboue, or whose Tanhouse was not at the same feast, is or shall be in a citie, borough, towne corporate or market towne, where searchers and sealers of leather bee vsually appoynted) doe tanne any leather, or take any profite thereby, he shall forsaite all the same leather: except such as at the sayde feast had any tanhouse and dyd occupie tanning of leather, and except an apprentice to a Tanner, and except such as were then, or since, or hereafter shall bee taught as couenant or hyred seruant for that purpose by the space of seuen yeeres in the mysterie of Tanning: or wife to a Tanner, or sonne of a Tanner, which hath bene brought vp, and v- sed the mysterie of tanning of leather by the space of foure yeeres, or the sonne or daughter of a Tanner, or such person who shall marry such wife, or daughter to whom a Tanner shal leaue his tanhouse and fattes. 5. El. 8.

3 **I**f any person vsing the misterie of tanning of leather, doe suffer any hide to lye in the lyme a longer time then the haire falleth off, or may be taken off, or shall put the same into the lyme after the haire may be taken off, hee shall forfeite the same hyde, or the value thereof. 5. *℥*l. 8.

How long the hyde shall lye in lyme.

4 **I**f a Tanner imploy any licour, stuffe or workmanship about the tanning of leather but onely lyme, coluerdung, or hen dung, and that in colde water only, and woses made of colde water, and D-ken barke onely, without mixture of any other thing, he shall forfeit the same leather or the value thereof. 5. *℥*l. 8.

What stuff may be imployed about tanning.

5 **I**f a Tanner put an hyde or skinne in tanne woses or licour made whot or warmed in any vessel, to be set or couered in any tanhill or otherwise, or doe ouerlyme any hydres in the lyme pittes, or put any hydres into any tanfats or vessels before the lyme bee perfectly soaked and wrought out of them, or shall lay or hang his leather wette in the frost, untill the same be frozen, or shall drye or parch his leather with the heate of the fire, or Summer Sunne he shall forfeit the same hide or leather, or the value thereof. 5. *℥*l. 8.

No hyde shall be put in tane woses that be hote, nor shall be frozen.

6 **I**f a Tanner shall tanne any hydres being putrified, rotten, or tainted by any meanes, or shall negligently worke them in the woses, or shall not renue the woses as often as neede shall require, hee shall forfeit the same hydres, or the value thereof. 5. *℥*l. 8.

Rotten hydres or euill wrought.

7 **I**f a Tanner do suffer the hydres for the vtter sole and clout leather to lie in the woses any lesse time then xii. moneths, and for the vpper leather to lye lesse then ix. moneths at the least, or shall insufficietly tanne any hyde, or shall tanne any Dre, Steere, or Cowe hydres otherwise then whole, without cutting of any bellies commonly called wombes or peeces from the same, (Hydes for clout leather to be cut into three or foure bendes ouerthwart the whole hyde onely except) or shall put to sale any tanned hyde raced by the workmanship, or otherwise, or by vsing any other thing or stuffe, or in other sort then is heere limited, he shall forfeit the same, or the value thereof. 5. *℥*l. 8.

How long leather shall lye in woses.

Insufficient tanning or curring.

8 **I**f any person put to sale or depart with, any kinde of tanned leather, red and vnwrought but sufficiently tanned, and thoroughly dried, and put in open faire or market in the places therefore prepared, or before the same be searched & sealed, or do depart w any Dre, Steere, or Cowhide, but onely whole without cutting any wombes or other peeces (except clouting leather to be cut in bendes as is aforesaid) before the same be searched and sealed, he shall forfeit y hydres, skinnes, or leather so sold, or the value thereof, & vi. s. viii. d. for euery hyde or peece of

Unwrought leather.

Leather, Tanner, Currier, Shomaker.

of leather, & iii. s. iiii. d. for every douzen of Calues skinnes. 5. El. 8.

A Tanner shal
not vse other
occupacions.

9 ¶ If a Tanner shall occupie the mysterie of a Shomaker, Currier, Butcher, or of any Artificer vsing cutting, or working of leather, he shall forfeit every hide and skinne so wrought or tanned, during the time that he shall vse the mysterie of tanning, or the value thereof. 5. El. 8.

Bullhide, horse
hide, sheepe
skinnes.

10 ¶ If a Tanner shal tanne any Bull hide, Horse hide or sheepe- skinne, or put to sale, exchange, or depart with any of the same being tanned, he shall forfeit the same, or the value thereof. 5. El. 8.

Skinnes in
the haire.

11 ¶ If any person shall buy, make any contract for, or bespeake any rough hide, or calues skinnes in the haire, but onely such as shall take the same, or such as by this statute may vse the mysterie of tanning, and shall tanne the same (except salte hides for the necessarie vse of shippes) he shall forfeit the same hides, and skinnes so bought, or the value thereof. 5. El. 8.

Buying of
tanned leather
to be conuer-
ted into made
wares.

12 ¶ If any person do buy, bespeake, or take promise to haue any tanned leather not wrought and conuerted into made wares, but onely such as will worke and conuert the same into made wares, he shall forfeit y^e same leather or the value thereof. But Sadlers and Girdlers may sell their neckes and shreds of red tanned leather without incurring any forfeit. And euery artificer and other person vsing to conuert tanned leather into made wares, as well stranger borne as other, may lawfully buy al kinde of tanned leather, to conuert the same into made wares, at Leaden hall in London vpon euery Munday, the same being first duely searched, sealed, and registred as is hereafter limited. The hide and skinnes of Ox, Steere, Bull, Cowe, Calfe, Deere red & fallow, Goates and sheepe being tanned or tawed, & euery salt hide, is and euer hath ben reputed leather. 5. El. 8. S. 36. 37.

What hides
or skinnes be
called leather.

Currier.

13 ¶ If a Currier doe currie any leather in any other persons house but onely in his owne, and y^e being scituated in a corporate or market towne, or do currie any leather being not well tanned, or not thoroughly dyed after his wette season (in which wet season he shall not vse any stale y^erin, or other deceipfull mixture, or meanes to corrupt the same) or do currie any leather meete for v^tter sole leather, with any other stuffe th^e w^h hard tallow, or any leather meete for ouer leather and inner soles, but onely with fresh stuffe and not salt, & both thoroughly licoured as much as the leather wil receiue, vntil it can receiue no more, or shall burne or scalde, or shau^e to thinne, any leather in the currying, or do not worke the same sufficiently in all points, he shall forfeit for euery offence vi. s. viii. d. and the value of euery such hide or skinne so marred &c. 5. El. 8.

14 ¶ If a currier shall gash or hurt any leather in shauing or by other meanes, he shall forfait to the partie greued double so much as the leather shalbe impayred thereby. All currying and dressing of leather called drie currying and frising, shalbe construed to be dressing & currying after the maner of Spanish leather, of what colour soeuer it be. 5. Cl. 8.

Currier hur-
ting leather.
Drie currying
and frising.

15 ¶ If any currier shall exercise the feate of a Tanner, Cordwayner, Shoemaker, Butcher, or other artificer vsing cutting of leather, during the time that he shall occupie the mysterie of a Currier, he shall forfait sixe shillings eight pence for euery skinne that hee shall currie, during the time that he shall so vse any of the mysteries aforesaid. 5. Cl. 8. Neyther shall any Sadler, Girdler, Cordwayner, or other artificer dwelling in London, and the suburbs therof, which shal cut leather to make wares therof) currie or dress any thereof in his owne house, or by his seruants, vpon paine of forfayture thereof to the Q. and J. to be recouered by A. J. &c. wherein no W. C. P. &c. 5. Cl. 6. 19.

Currier exer-
cising another
trade.

16 ¶ If a Currier refuse to currie any leather to him brought for that purpose by any cutter of leather or his seruant bringing with him good stuffe for the perfect licoxing of the same, in the presence of the said cutter, or his seruant, if he wil be present, or els in his absence, and that in al things wel, and within fīue dayes in the Summer, and tenne dayes in the Winter, after he shal take the same in hand, he shal forfait to y^e partie greued for euery peece of leather not in this maner curried and speedely dressed x. s. 5. Cl. 8.

Within what
time leather
shalbe curried.

17 ¶ If the wardens of the Curriers or their assignes, doe not search and seale al leather brought to any of theyr company to be curried, which shalbe sufficiently curried, within one day after currying and request, taking for euery hide after the rate of i. d. for the Dicker, and for sixe douzen of Calues skinnes i. d. of the Currier, they shall forfait for euery hide so not searched and sealed sixe shillings eyght pence. 5. Cl. 8.

Wardens of
the Curriers
shall search
and seale lea-
ther.

18 ¶ If any person dwelling in London, or being free of the ci- tie dwelling within thre myles of the same, occupying wet curried leather in his art, shal put any leather to be curried but to such persons as shalbe free of y^e company of the Curriers in London, he shal forfeit all such leather or the value thereof. 5. Cl. 8.

Currying of
leather in Lon-
don.

19 ¶ If a Shoemaker shal make any Bootes, Buskins, Shoes, Startups, Slippers, or Pantables, or any part of them of English leather wet curried (other then Deares, Calues, or Goates skinnes, made or dressed like unto Spanish leather) but of leather wel tanned,
and

Shoemaker.

and curried, in forme aforesaid, or leather well tanned onely, and well sewed with good thread, well twisted, and sufficiently waxed, with waxe well rosened, and the stiches well drawn with handlethers, without mixing of Neates leather and Calues leather in the ouer leather, he shall forfait for euery paire of shoes, bootes &c. made, solde, or put to sale to the contrary, thye shillings iiii. v. and the value of the same. 5. Cl. 8.

What leather a
shomaker shall
put into his
ware.

20 ¶ If a Shomaker shall put into any part of Shoes, Bootes, Buskins, Startups, Slippers, or pantables leather made of sheepes skinne, Bull, or Horsehyde, or into the vpper leather of any shooes, Startups, Slippers, or Pantables, or into the neather part of any bootes (y inner sole and heeles of the shoe only excepted) any part of a hyde from which the sole leather is cut, called y wombe, necke, shanke, flanke, pole, or cheeke, or into any vtter sole any other then the best of the Dre or Steere hide, or into the inner sole, other then the wombes, necke, pole, or cheeke, or in the treatwelles of the double soled shooes other then the flankes of the foresaide hides, he shall forfait for euery paire &c. iii. s. iiii. d. & the value of the same. 5. Cl. 8.

No winter
wares shalbe
made of dyt
leather.

21 ¶ If a Shomaker do make betweene the last of September and the xx. of Aprill, any shoes, bootes, buskins, startups, or slippers meete for any person to weare, exceeding the age of foure peeres, wherein shalbe any dry English leather (other then calues or goates skins made or dyessed like vnto Spanish leather) or shall shewe to the intent to sell any shoes, bootes &c. vpon the Sunday before dyuine seruice in the fore noone be ended, he shall forfait for euery paire made, sold, shewed, or put to sale to the contrary iii. s. iiii. d. and the value thereof. 5. Cl. 8.

Selling wares
vpon the Sun-
day.

Foure ser-
chers within
London.

22 ¶ The Maior and Aldermen of London shall perely vpon paine of xl. li. (to be forfeited to the Q. and J. &c.) appoint iiii. Searchers, which being sworn shall once euery quarter of the yere at the least, make true searsh of all wares made of tanned leather in euery house and place within the Citie of London & thye miles of the same where any Shomaker, Sadler, Girdler, or other artificer vsing cutting of leather doth dwell or occupy any of the occupations of cutting of leather, and after searsh shall make true presentmēt in writing to the Maior and Aldermen, of euery default they or any of them shall finde in the making, selling or putting to sale of any bootes, buskins, startups, shoes, bridles, saddels, or other things, or wares made of leather contrary to the true meaning of this act. 5. Cl. 8.

Seales of lea-
ther.

23 ¶ The Maior and Aldermen shall vpon the like paine perely appoint other foure expert and honest persons, which being sworn shall

shall search euery tanned hide, skin or leather, which shall be brought to Leaden hall Market, or to any other faire or market within three miles of the Citie, and so many as they shall finde sufficiently tanned, they shall seale with a seale for that purpose prepared, which shall remaine in the custodie of one of them. 5. El. 8.

24 ¶ If any person bring to his house in London any redde tanned leather, be it solde before or not, before he bring the same to Leaden hall to be viewed whether it hath bin searched or sealed, and to be registered by the searchers with halfe the fees hereafter expressed thereof to be payed, he shall forfeite for euery hide vi. s. viii. d. to the M. and A. to be recovered by A. I. &c. wherein no W. C. P. &c. But this article extendeth not to leather brought to Bartholomew faire or Southwarke Market, searched, sealed, and registered according to this acte. 5. El. 8.

Leather brought to Leaden hall.

Bartholomew faire, Southwarke Market.

Searchers in townes, liberties, faires.

25 ¶ All Mayors, Baylives, and other head officers of cities, boroughs and market townes, & all Lords of liberties, faires, & markets shall vpon paine of xl. li. (likewise to be leuied and imployed) appoynt and sweare perely two, three, or more honest & skilfull men, to searche & viewe within their offices or liberties, which shall as often as neede shalbe, or they thinke good, make like search within their limites, and shal haue a seale or marke for that purpose, which one of the shal keep, and therewith shal seale or marke such leather as they find sufficient & no other. And if they or any of them finde any leather sold or offered to be solde or brought to be searched or marked insufficiently tanned or curried, or any bootes, shoes, or other thing made of tanned or curried leather insufficiently tanned, curried, or wrought contrary to this statute: it shalbe lawfull for them to seise the same as forfeite, and to retaine the same in their custodie, vntill it be tryed by sixe expert men appointed by such maior, baylife &c. within whose libertie such seisure shalbe, and that triall to be made within fifteene dayes after such seitures vpon the othes of the tryers. And the said sealers and searchers shall within the limites of their searches, keepe a booke or register, and vpon request to them made by the Buyer or Seller, shall register all such bargaines as shalbe made for leather, hides and skinner, and the names and dwelling places of all such persons which shall buy and sell any Leather, Hides or Skinner during the time of the Faire or Market with the prices, vpon paine of forfeiture of iii. s. iiii. d. for not registering of euery Dicker of Leather, and iii. s. iiii. d. for euery dozen of Calues Skinner, and so after the rate. And the saide Searchers and Sealers shall take for their paynes for sealing of Leather, cutting of the wombes, & registering thereof, of the seller of euery dicker

Oxford
Cambridge.

of leather so entered ii. d. And for euery vi. dozen of Calues kinnes ii. d. and of the buyer after the same rate, & no more vpon the paine aforesaid. But this act is not preiudiciall to the chauncelors, vicechauncelors, taxors, & scollers of the vniuersities of Oxford and Cambridge, concerning the authoritie of search of tanned leather, or any the forf. for the same, which they lawfully had before the making of this act, so as they obserue such order in all things about searching, sealing, and registring of leather, as by this act is appointed, vpon the paines contained in the same. 5. Cl. 8.

If the searcher
do not his
duty.

26. ¶ If any Searcher so appointed, shal not do his duetie, as in refusing to seale good leather, making default in search, in allowing þ which is sufficient, or in concealing of faults, the Mayor, Baylife, lord of faires, & other persons which shall appoint searchers and sealers shal forf. for euery offence xl. s. to the Q. & J. to be recovered by A. J. &c. wherein no W. &c. E. P. &c. 5. Cl. 8.

Denying of
search.

27. ¶ If any person wil deny the searchers appointed, to enter into his house, or other place to view and search all tanned leather and wrought ware, and to seise and cary away all such as they shall finde insufficiently tanned, curried, or wrought of euill stuffe, he shall forf. v. li. to the Q. and J. to be recovered by A. J. &c. wherein no W. &c. E. P. &c. 5. Cl. 8.

Cutting of
wombes.

28. ¶ If the searchers or sealers doe not after tanning, and before currying of any lether brought to be searched & sealed, cut of so much of the hide truely tanned, to be solde to a Shomaker, Cordwayner, or Cobler, into wombes, as they shall by their othes thinke vnmeet to make better sole leather of, the said Shomaker &c. shal forsaite for euery hide not cut iii. s. iiii. d. and the Searcher as much for euery Dicker of leather not so cut. And if a Shomaker &c. doe cary any Ore or Steerehide tanned, whereof any sole leather shall be cutte, out of any Faire or Market whole before the wombes be cut off, he shall forf. euery such hyde, or the value, and vi. s. viii. d. to the Q. and J. to be rec. by A. J. &c. wherein no W. &c. E. P. &c. But no person to whom such vnlawfull Leather or stuffe shalbe giuen by this act, shall giue or sell the same to any person that shall sell the same, vpon payne that the Buyer shall forsaite for euery parcell solde contrary &c. vi. s. viii. d. 5. Cl. 8.

Who forsaited
stuffe shalbe
solde.

Registring of
leather.

29. ¶ If any person sell, exchange, or put away any tanned Leather, redde and unwrought, except he cause the same to be registred and the price thereof, he shall forsaite the value of the same Leather. And whosoever doeth buy any tanned leather, before the same be searched and sealed, or doeth cary the same out of any market or faire vntill

till it be registred, he shall forfeit the same or the value. 5. Cl. 8.

30 ¶ If any Currier, Shomaker, Sadler, or other artificer using, cutting, or working of leather, dwelling in London or within three miles compass, do not currie, put into, make and worke their wares belonging to their occupations, sufficiently and substantially according to the true meaning of this statute, the wardens of every of the sayd companies shall forfeit for every offence done by any person under their order, suruey and serch v. li. And every artificer inhabiting within the cite of London, or iii. miles compass of the same, using any manuel occupation of cutting or working of leather into made wares, shall contribute, pay, & be under the suruey and search of the wardens of such companies of the said cite, as þ artificers commonly using the like occupation, being free men of the same cite, & of the same company be, concerning onely the wares & stufte made of or w leather, in like maner as other free men of the same company do to the wardens of their company within the said cite. 5. Cl. 8.

The wardens
sof. for the
workemens
offence.

31 ¶ If any artificer using cutting of leather shall sel in London or within three miles compass thereof, any wares belonging to his mistery, but onely in open shoppe, common faire or market, he shall forfeit al the wares so sold, and x. s. for every time. All which forfeitures aforesaid of sumes of money (except such as are otherwise before disposed) shall be devided into iii. equall parts, whereof one shall be to the Queene &c. an other to him that will first sue by A. J. &c. wherein no T. L. E. P. &c. And the third part shall go to the City, Borough, Towne, Lord of libertie where the offence shall be committed. And al such lether, bootes &c. wares, stufte, & other things made of tanned or curried lether, which shall be found insufficiently wrought, tanned or curried, & by this act declared to be forfeited, & shall be seised by any person finding þ fault thereof within London, or iii. miles compass thereof: shall be brought to þ Guildhall, prayled by indifferent persons, and the value thereof devided into three parts, whereof the first seisor shall haue one, the Chamber of London an other, and the thirde shall be distributed amongst poore people of the said city & circuite, by the discretion of the Maior and foure Aldermen &c. And al leather, bootes, shoes, & other wares insufficiently wrought, tanned, or curried which shall be found in any other Citie, Towne or place, and seised as forfeited, shall be brought to the common hall of such Citie &c. or to some conuenient and open place appoynted by the Lorde or his deputye where no hal is, and there prised as is aforesaid, and one part shall be distributed amongst the poore, and in other deedes of charitie in those parties by the discretion of þ Maiors, Bailifes, Lords of liberties &c.

Wares in
London shall
solde in open
place.

Now the for-
feitures shall
be imployed.

Leather, Tanner, Currier, Shoemaker.

And the other part deliuered to the Bayors, Baylifes, &c. to the vse of the comminaltie of such citie, borough &c. And where no such officers be, to the Lord of the libertie where such forfeiture shalbe committed, or seisure had. And the third part to the first seisor of such insufficient wares. 5. Cl. 8.

Making of
pelts.

32 ¶ It is not lawfull for any person to make any pelts, that is to say, to pull, sheare, cleppe or take away the wool of any sheepekinne, or lambeskinne, or to buy any skinne of any Stagge, Winde, Bucke, Doe, Goate, Fawne, or Kid, or the pelts or skinnes of any of them, but lesse such person doe make or cause to be made thereof tawed or unlawfull tanned leather or parchment, or otherwise conuert the same into Semites, Pannelles, or other his owne necessary vles, vpon paine that euery person so making pelts or buying any of the pelts or skinnes aforesaide, shall forfeite the value of all such pelts or skins so made and bought, and ii. s. vi. d. for euery skinne or pelt. 5. Cl. 22. 8. Cl. 14.

Transporting
leather, talow,
or rawe hides.

33 ¶ It shall not be lawfull for any person to lade, shippe, or carie in any vessel or ship, or otherwise, any leather, tallowe, or rawe hides, of intent to transport the same into any place beyond the seas, or into Scotland by land or by seas, (other then Scottish hides to be brought to Berwicke. 5. Cl. 8.) vpon paine of the forfeiture of the said leather, tallowe, or rawe hides so laden or transported, and treble the value thereof, to bee forfeited by the owner or owners. And also the owners of the said ships, or vessels, knowing of such offence, shall forfe. the said ships, or vessels, with all their apparell and furniture to them belonging. And the masters and mariners, knowing of such offence, shall haue imprisonment by the space of one yeere, without bayle or mainprise, & forfe. al their goods and cattels to the Q. and J. to be recovered by A. J. &c. wherein no W. &c. P. &c. But if any owner of any such ship or vessel, or any master or mariner, knowing any such transportation of leather, talowe, or rawe hides, doe within iii. monethes next after his knowledge thereof, or after his returne into this realme, giue good information bona fide before any of the Barons of the Exchequer, or before the Lord President or counsaile in the North, or in the marches of Wales, or before the head officer of any port, where he shall first arriue vpon his oth, of the number and quantitie of leather, talow, and rawe hides so transported, and by whom, where, and in what ship or vessel, and afterward shalbe ready vpon reasonable warning by proces, to iustifie and proue the same for the Q. then such owner, master, or mariner shal not forfe. his ship, nor incurre the forfeitures aforesaid. 18. Cl. 8.

Owners of
ships.

Mariners.

34 ¶ Every person which hath the Queenes licence to cary over sea any tanned leather, may buy in open faire or market so much as he shall bee licenced to transport, so that the saide licence be shew-
ed to the chiefe officer of the said faire or market, which officer shall write vpon the backside of the licence, how much leather the party li-
cenced hath bought, and the day, time, and place of buying the same, that thereby it may appeare how and when every such licence shall be
satisfied. 5. Ed. 6. 15.

Buying leather
to transport
by licence.

35 ¶ No person shal shippe or cause to be shipped (to the intent to transport over the sea, as marchandises to be sold or exchanged there) any shooes, bootes, buskins, startups, or slippers, vpon paine to forfeite the same to the Q. and him that will seise or sue for the same, by A. J. &c. wherein no W. &c. P. &c. But this act shall not be preiudicial to any person for transporting so much of the foresaid wares, vnto the Isle of Man, as is necessary for the furniture of the Queenes subiects there. 5. Ed. 6. 15.

Transporting
of shooes,
bootes &c.

36 ¶ If any person do buy or ingrosse any kind of tanned leather, to the intent to sell the same againe (except sadlers, girdlers, cordway-
ners, and other artificers, making wares of leather which may buy such kind of tanned leather, as is necessary for their occupying to bee wrought by them) he shal forfeit the same or the price thereof. But the
foresaid artificers may sell their wombes, shredde, and neckes which they cannot occupie about their wares. 5. Ed. 6. 15. S. 12.

Engrossing of
tanned leather.

37 ¶ It shall not be lawfull to or for any currier or curriers, or any other person or persons whatsoever within this Realme of Eng-
land by any wayes, meanes, shifts, practise or deuise whatsoever, to bargain, sell, exchange or put away any tanned leather unwrought, &
not cut and conuerted into some kinde of made wares now vsed, or which hereafter shalbe vsed within this Realme, vpon paine of forfeit. of double the value of the said leather to the Q. and J. to be recovered by B. J. or J. wherein no W. &c. P. &c. any former law, statute, or other thing &c. notwithstanding. 27. El. 16.

Selling of
tanned leather
unwrought.

38 ¶ It shal and may be lawfull to and for al and every person or persons whatsoever, vsing, or occupying, or exercising the trade of
tanning of leather, or to the executors or administrators of every or any such persons, to bargain, sell and put away such leather, as shalbe
by them or any of them tanned, in such sort, maner and forme as they might haue done before the making of this act, any thing herein &c.
notwithstanding. 27. El. 16.

A tanner his
executors and
administra-
tors.

39 ¶ It shalbe lawfull to all & every person and persons, to whom any leather by force of any former law or stat. shalbe forfeit. and to al other
person

What persons
may sell tan-
ned leather.

Limitation of prescription.

person and persons, to whose hand any tanned leather shall come, as executor or administrator to any artificer, using to worke leather into wrought wares, or by bequest from such artificer, to bargain, sell, and put away such tanned leather, as shall come unto them or any of them, by any the meanes aforesayde, to any Artificer using to conuert Tanned Leather into wrought wares. And likewise to all artificers using to conuert tanned leather into wrought wares, which shal buy any tanned leather, to the intent to worke the same into wares, to sel and put away the wombes, & threds, and necks, which they cannot occupie about their works. This acte, or any other acte or stat. &c. notwithstanding. 27. El. 16. To continue for vi. yerres next after this present session of Parliament, and from thence to the ende of the next Parliament then next following.

1 What subsidie or custome shalbe payed for leather transported. S. Custome. 6. 7.

2 For the shipping and transporting of certeine leather. S. Marchants. 4.

¶ Limitation of prescription.

Writ of right.

NO person shall sue, haue, or maintaine any writ of right, or make any prescription, title or claime, to or for any manors, lands, tenements, rents, annuities, commons, pencions, portions, corodies, or other hereditaments, of the possession of his Auncester, or Predecessor, and declare and alleadge any further seisin or possession of his auncester or predecessor, but onely of the seison or possession of his auncester or predecessor, which hath bin, or now is, or shalbe seised of the sayde manors, lands &c. or other hereditaments, within thre score yerres next before the Teste of the same writte, or next before the sayde prescription, title, or claime, so sued, commenced, brought, made or had. 32. H. 8. 2.

60. yerres.

Actions possessorie.

2 **N**O person shal sue, haue, or maintaine, any Assise of Mortdaunce, cosinage, ayle, writ of Entre vpo disseisin, done to any of his auncestors or predecessors, or any other accion possessarie, vpon y possession of any of his ancesters or predecessors, for any manors, lands, tenements, or other hereditaments, of any further seisin or possession of his auncester or predecessor, but onely of the seisin or possession of his auncester or predecessor, which was, or hereafter shalbe seised of y same manors, lands, tenements, or other hereditaments, within fity yerres next before the Teste of the originall of the same writte brought &c. 32. H. 8. 2.

30. yerres.

Writs of ouer seisin.

3 **N**O person shall sue, haue, or maintaine any accion for any manors, lands, tenements, or other hereditamentes, of, or vpon his owne

owne seison or possession therein, aboue xxx. yerres next before y^e Teste 30.yerres.
of the originall of the same writ brought &c. 32. H.8.2.

4 ¶ No person shall make any auowrie or cognisance, for any auowrie.
rent, suite, or seruice, and alleadge any seisin of any rent, suite, or ser-
uice in the same auowrie or cognisance, in the possession of his aun-
cesters, or predecessors, or in his owne possession, or in the possession of
any other whose estate he shal pretend or claime to haue, aboue fiftie
yerres next before the making of the saide auowrie or cognisance. 32. 50.yerres.
H.8.2.

5 ¶ All Formedons in reuerter, Formedons in remainder, and Formedone
Scire facias vpon fines, of any manors, lands, tenements, or other he- Scire facias.
reditaments, shalbe sued and taken within fiftie yerres next after the ti-
tle and cause of any accion fallen, and at no time after the saide fiftie 50.yerres.
yerres passed. 32. H.8.2.

6 ¶ If any person at any time doe sue any of the saide accions or Barre for de-
writtes of any manors, lands, tenements, or other hereditaments, or fault of seison
make any auowry, cognisance, prescription, title, or claime, of, or for within the
any rent, suite, seruice, or other hereditaments, and cannot prooue that time of limita-
tion.
he or his auncesters, or predecessors, were in actuall possession or sei-
son of and in the same, at any time within the yerres before limited, &
in maner and forme as is aforesaid, if the same be trauersed or denied
by the plaintife, demaundant, or auowant, or by the tenant or defen-
dant: Then and after such triall therein had, euery such person and
his heires, shall from henceforth be utterly barred for euer, of all and
euery the said writtes, accions, auowries, cognisances, prescription,
title and claime hereafter to be sued, had, or made, of and for the same
manors, lands &c. or other the premisses, or any part of the same, for
the which the same accion, writ, auowrie, cognisance, prescription, ti-
tle, or claime shalbe at any time had, sued, or made. But if any false
verdit be giuen in any of the said accions, suites, auowries, prescrip-
tions, titles, or claimes, the partie grieved by the same, shal & may haue
his attaint vpon the same, and his recouery, execution, and other ad- Attaint.
uantages therein, in like maner and forme, as heretofore hath bin ac-
customed. 32. H.8.2.

7 ¶ But this former act, or any matter therein conteyned doeth Right of ad-
not extend to any writ of right of aduowson, Quare impedit, or assise uowson.
of darrein presentment, nor iure patronatus, nor to any writ of right Quare impedit.
of ward, writ of rauishment of ward, for y^e wardship of the body, or for Assise of dar-
y^e wardship of y^e lands, tenements, or hereditaments holden by knights reme presents
seruice, nor to the seisor of the wardship of the body of any warde, ment.
nor to the seisor of wardshippe of any lands &c. holden by knights seruice. Iure patronatus
Warde.

Linnen cloth. Liuary & Ouster le maine.

But euery person, body politique and corporate, their heires and successors, shall and may haue and pursue all and singular the sayde wittes of right of aduowson. Quare impedit. Assise of darreine presentment, Iure patronatus, wittes of right of warde, Rausishment of warde, and also seise the wardship both of the body and of the landes &c. holden by knights seruice in like maner, to all intents, as they or any of them should or might haue done before the making of the sayd acte of 32. H. 8. An. 1. Marleb. 5.

¶ Linnen cloth.

The contents
of Doulas and
Lockerum.

If any person, English or stranger, Denizen or Alien, doeth put to sale any whole peece, or halfe peece of linnen cloth called Doulas or Lockerum, vnlesse there be mention expessed vpon euery of the said whole peece, or halfe peece so put to sale, the whole number of the yardes or elles that is contained in the saide whole peece, or halfe peece, he shal forf the said whole peece or halfe peece to the Q. and him that wil seise, and sue for the same by A. J. &c. or otherwise, wherin no W. &c. E. &c. 28. H. 8. 4.

Stretching or
impaying of
linnen cloth.

2 ¶ If any person doe wittingly cast or cause to be cast any peece of linne cloth ouer a beame or peece of timber, and doth by any deuise racke, stretch and drawe the same of length and breadth, and then doth with battledors, peeces of timber of wood, beat the same, & cast thereupon any deceitfull licozs mingled with choke or other like thinges, or doeth wittingly vse, or cause to be vled any other act or meane, to, in, or with, any kind of linnen cloth, whereby the same is deceitful or worse, to, or for the good vse thereof: then he shal forf. his said cloth to the Q. and J. and suffer one moneths imprisonment at the least, & pay such fine as shalbe assessed by the Iustices before whom he shalbe condemned, 1. El. 12. S. Iustices of peace. 61.

¶ Liuary & Ouster le maine.

The Queene
shal haue pri-
mer seisin.

The Q. shal haue primer seisin after the death of those which hold of her in chiefe, of al the lands and tenements whereof they were seised in their demeane as of fee, of what age soeuer their heires be, by taking the issues of the same lands untill inquisition be made, as the custome is, and that she hath receiued the homage of such heires. Prærogatiua Regis. 17. Ed. 2. 3. Marleb. 52. H. 3. 16.

An heire en-
tring into lands
holden of p. Q.
without liury

2 ¶ When any person which holdeth of the Q. in Capite doeth die, & his heire doeth enter into the land that his auncester helde of the
Queene

Queene the day of his death, befoze he hath done homage to her grace and receiued of her seisin, he shall thereby gaine no freehold, and if he die seised during that time, his wife shall not be endowed of the same land. But this is not ment of Socage and small tenures. Prærog. reg. 17. Ed. 2. 13.

3 ¶ If it be found for the Queene &c. that the heire of her tenant is within age, where in deed such heire is at the same time of full age or of a moze or greater age then is contained within such office: In euery such case such heire shal and may at his very ful age, or after prosecute a writ of Estate probanda, And sue his livery or ouster le maine as his case shal lie, & haue the profits of his lands &c. from that time of his very full age, any such vnttrue office, or any lawe or custome notwithstanding. 2. Ed. 6. 8.

The heire of full age found within age.

4 ¶ All liversies to be sued out of the Queenes hands, her heires and successors, of any lands, tenements, rents, reuerfions, remainders, or other hereditaments whatsoever, bee in the order, suruey, & gouernance of the court of wardes and liversies, and of the ministers of the same. And the master, surueior, atturney, and generall receiuor of the sayd court, or thye of them (whereof the master or surueior to be one) haue authoritie, after offices & inquisitions found, to couenant and indent with euery person for his liuery of the lands, tenements, and hereditaments, comprised or not comprised in such offices, and to set, & rate the price for the same, and to appoint the daies of paiment thereof, by obligation or obligations taken for the same to the Queene, which obligations so made and euery of them, be good and effectnall in lawe and of like strength, as writings obligatory made by any lay person, by authoritie of the statute of the Staple, beene or ought to bee. And all and singuler billes for any speciall or generall liuerie to be sued, assigned by the handes of the sayd master, suruey our, atturney, receiuor, or thye of them, whereof the master or suruey our to be one, is a good and sufficient warrant to the Chauncelloz of England, and of the Duchy of Lancaster, and all other Chancellours and officers ha- uing power to passe liversies vnder any of the Queenes seales, for the making out, sealing and deliuey of any liversies according to the pur- port and effect of such billes with other clauses of course necessary for the same. 33. H. 8. 22.

Liversies be in the order of the court of wardes

Warrants to passe liversies.

5 ¶ No person hauing lands or tenements aboue the pcerely va- lue of v. li. shall haue or sue any liuery befoze office founde befoze the Eschetoz or other commissioner &c. by vertue of the Queenes writ or commission &c. directed out of the Chauncery or any other courtes &c. which writs or commission shal not passe out of the Chauncery or any

No liuerie of lands to the pcerely value of v. li. befoze office.

Liuey & Ouster le maine.

Warrants for
writs to find
offices.

any other courts hauing authoritie to make such writs or commissi-
ons, but by a warrant or bill assigned & subscribed with the handes &
names of the Master, Surueior, Atturney, & Receiuor of the court of
wardes and Liueries, or three, two, or one of them, to be directed and
deliuered to the Chauncelour of England, or to any other Chauncel-
lor or officer, hauing power to award such writs. 33. H. 8. 22.

General liuey
writ without in-
quisition.

6 ¶ But euery heire which is in case to sue Liuerie, where his
lands & tenements exceede not the yerely value of v. li. shall lawfully
sue forth his general liuey by warrant made from y^e court of wardes
and liueries, although there be no other inquisition thereof had nor cer-
tified, & shall pay y^e fees of euery such liuey as be hereafter expressed
for the fees of a general liuey not exceeding the yerely value of v. li.
as though the same liuey were made and sued forth vpon an office
found by vertue of the Queenes writ. 33. H. 8. 22.

A general liuey
writ of lands not
exceeding xx. li.

7 ¶ Euery person may sue at his pleasure a generall liuerie after
office thereof by writ or commission found, returned and certified for
any manors, landes, tenements, rentes, reuerfions, remainders, or o-
ther hereditaments, whereof the cleere yerely value doeth not ex-
ceede xx. li. the value of which landes &c. shalbe taken as is limitted in
the offices found thereof (except by the examination and certificate of
the said master, Surueior, Atturney, and receiuor generall, or three of
them) it shal otherwise appeare & bee declared in any of the Queenes
courts. But no such liuerie shalbe sued or passe without a bil or war-
rant first obtayned for the same from y^e said master, atturney, receiuor,
or three of them &c. as is aforesaid. 33. H. 8. 22.

The fees of a
general liuey.

8 ¶ If the landes, tenements, or hereditaments, whereof a gene-
ral liuey may be sued by this act, exceede the cleere yerely value of v.
li. then such as shall sue and haue such generall liuerie, shal pay for the
seale thereof xx. s. iiii. d. and al other such fees as heretofore in such ca-
ses haue bene accustomed vpon y^e suing of any generall liueries. And
if the lāds, tenements &c. wherof any such general liuerie shalbe sued,
exceede not the cleere value of v. li. then euery person suing for any ge-
neral liuey shal pay for the scale of euery such liuerie xii. d. and to the
Clerkes of the petit bagge for the wryting & enrolling thereof xx. d.
& for respice of homage in the Panaper viii. d. and to the Lorde great
Chamberleine xx. d. & to the Clerke of the liueries for the warrant &
inrolling of the liuerie xx. d. and to the Master of the rolles xx. d. and
none other fees. 33. H. 8. 22.

Within what
time a liuerie
shalbe sued
forth.

9 ¶ Euery person to whome the Queene shall grant any liuey,
to be sued vpon his bill assigned therof with the Queenes hande, or
with the handes of the Officers of her court of wardes & liueries, shall
sue

sue forth his patent within iii. moneths next after the assignement of the said bill, or els the same bill & the effect thereof shalbee vsyde. 33. p. 8. 22.

10 ¶ Every warde hauing his liuerie, shall within vi. moneths next after the liuerie had, bring the same to the Auditors of the court of wardes &c. or to one of them, to haue the same there inrolled for the discharge of the lands against the Queene, according to the tenour of the said livery, and shal pay for the inrolment thereof such reasonable summe of money, as shalbe appointed by the master of the wardes &c. so that it exceed not x. s. 3 d. p. 8. 46.

liueries shal be inrolled.

11 ¶ If the Eschetoꝝ or Shirife doe seise any landes into the Queenes hands where there is no cause of seisure, and after the same lands be deliuered out of the Queenes handes for the same cause, the issues also shalbe fully restored to him who hath the lande, and which hath sustained the losse. Artic' super Chart' 28. Ed. 1. 19.

Where p owners shal haue his lads with the issues.

12 ¶ If by enquests taken by Eschetors by any writs sued out of the Chauncery and returned, it be found that nothing is holden of the Queene, whereby she ought to haue the warde of such landes by reason of the enquests taken by her Eschetors, immediatly the Eschetors shalbe commaunded by the Queenes writte directed out of the Chauncerie to deliuer their handes and put from them all the landes and tenements so seised into p Queenes possession. And if they haue taken any profits of such landes &c. they shall make full restitution to him or them for whom it was founde by enquests, that such landes ought to remaine from the time p such landes fell into the Queenes handes. But if after the Eschetors haue discharged their handes by force of the Queenes writte, any thing happen to be founde in the Chauncery, Eschequer, or any other of the Queenes courtes whereby the wardship of such landes whereof the Eschetors haue discharged their hands, should belong vnto the Queene, immediatly hee in whose hands such landes shall happen to bee, shalbe summoned, to bee before the Queene at a certaine day wheresoeuer &c. to shew if he can say any thing wherefore the Queene ought not to haue the wardshippe of such landes, according to the fourme of the evidences, or remembraunces founde for her. And if hee come in and shewe why the warde of such landes doeth not, or ought not to belong vnto the Queene, but that it ought to remaine to himselfe, hee shal go quite, & retaine the wardship: But if the partie warned doe not come, or doth come and can say nothing, why the Queene shoulde not haue the wardship, immediatly the lands shalbe resealed into the Queenes hands by reason of wardship, to bee kept until the full age of the heire

Amoucas manū cum exitibus.

Releifer.

Liueries & Retayners.

of the same. And if it be found by the enquests taken by the Eschetoꝝ and returned, that the Custodie of the same lands, contained in the inquisitions and seised in the Queenes hands, ought not to remaine vnto the Queene, the Eschetoꝝ shalbe commaunded forthwith to discharge his handes thereof, and to restore the whole issues. And in like sort if it be found by Euidence and remembrances in the Chauncery, Eschequer, or otherwise, that the Queene ought to haue the custody of them, her Maiestie shalbe answered the whole issues thereof at their handes which held the same landes from the time they were first taken into the Queens hands by the Eschetoꝝ by the foresaid writtes. 29. Ed. 1. Stat. de Eschaetoribus.

Grane rates.

13 **I**f an Eschetoꝝ or other minister hath seised to the Queenes vse, any Cities, Boroughs, Townes, manors, hundreds, fraunchises, milles, herbage, tolle, pless, and perquisites of courts, or other landes, or tenementes, whereof profit riseth from time to time through the yeere, and after hath made liuery thereof to the heire by the Queenes commaundement out of the Chauncery, before the terme of paiment is come, yet he shalbe charged to answer the Queene for the rate and portion of the time, according to the auncient course of the Eschequer. But ancient farmes and rentes which bee to bee payed at certaine termes, as rent secke, and rent seruice, whereof no profite riseth vntill the day of payment, shalbe payed to them which haue liuerie out of the Queenes handes at the day of payment of the same farmes and rent which do ensue such liuerie. 28. Edw. 3. 4. S. Eschetoꝝ, Office, Trauerse, Wardes.

Liueries & Retayners.

Giving of liueries for maintenance.

If any person shall giue any Chaperons, Hattes, or such like liueries to any man, for maintenance of quarels or other confederacies, he shal forfeit C. s. for euery such liuery. And he which receiueth such liuerie shal forfeite xl. s. 1. R. 2. 7. 7. W. 4. 14. 13. W. 4. 3. 8. W. 6. 4. 8. Ed. 4. 2.

Wearing of liueries for maintenance.

2 **I**f any person of his owne authoritie and proper costes, doe buy or weare for his clothing any clothes or hattes, called liueries of the sort or suit of any Lord, Lady, Knight, Esquire, or other person to haue suppoꝛtation, succour, or maintenance in any quarell, or in any other maner, & be thereof lawfully conuict, he shal forfeit xl. s. and be one yere imprisoned. 8. W. 6. 4. 8. Ed. 4. 2.

Wearing the Queenes liuerie.

3 **I**f any which is a Knight or Esquire menial of the Queenes, or which is of her retinue, to whom her Maiestie shal giue her honorable

ble liverye, do weare his said liverye in the countrey or countie, where he is resiant or dwelling, or in any other place of the Realme out of the Queenes presence, (saving in going or comming from y^e Queens house) & is thereof duely attainted, he shall lose his livery, and forsaite his fees for ever. 1. H. 4. 7.

4 ¶ No congregation or company shall make any company of Companies cloth, or of battes, at their owne costes, vpon paine that every one of the same congregation or company shal forf. xl. s. (except guildes and fraternities, and also people of artes and sciences, within cities & boroughes, which be ordeined to a good intent.) 7. H. 4. 14.

5 ¶ No person by him selfe or any other for him, shall giue any liverye or badge, or retaine any person other then his menial servant, officer, or learned man in the one lawe or in the other, by any wryting, othe, or promise, and if any do the contrary he shall forf. for every such livery or badge giuen C. s. And he which doeth retaine or take of another such othe, wryting, or promise, or retained by Indenture, shall forf. C. s. for every moneth that any person is so retained with him by othe, wryting, indenture, or promise. And every person which is retained by wryting, indenture, othe, or promise, for every moneth that hee is so retained shall forf. C. s. to the Q. and J. And every person that wil sue against any other for any offence committed contrary to this statute, or any other of the premisses before the Queenes Justices in her bench, before the Justices of the common ples, Justices of peace in their Sessions, Justices of Dier and terminer, and gaole deliury, Justices of the Counties Palantine of Lancaster and Chester, and in the court of Wexhamshire, and in the Court of the Bishop of Durham in the Countie Palantine of Durham, shalbe admitted thereunto by the discretion of the same Judges, to giue information for the Queen of any of the premisses committed within the iurisdiction of y^e same courtes. And every Informer shalbe admitted to sue for the Queene and him selfe, action or actions vpon the same by information in any of the said Courts, against as many such offenders in one bil or information as liketh him, which information shalbe in steade of a byll or originall wrytte, wherein such Proces shalbe awarded as in an originall wrytte of trespass against the peace (but that in the Counties Palantine of Lancaster and Chester, nor in Duresme, no Exigent shalbe awarded vpon any information, suite, or proces, to bee made by force of this ordinaunce, and if any bee, or any Outlawrie thereupon pronounced, the same shalbe voyde without any wrytte of Error.) And if any of the offenders bee present in any of the sayd courts, any of the Justices may commaund him to bee brought to answere to such bill, vpon

Giuing or taking of liversies or badges, and retaining.

In what courts the Informer may prosecute his suit.

byon such Informacion (by an othe first to bee taken byon a booke by such Informer, before some one of the Judges, that his complaint is true) without any other or further proces therein. And euery of the same Judges within his iurisdiction may by his discretion examine euery of the defendants byon such informacion, and iudge him conuict aswel by examination as by triall. And the Q. shall haue the one halfe of the forfaiture (if it be not in a Citie or towne corporate, that hath the same by the Queenes &c. graunt) & the Informer the other halfe, which also shall recouer his costes by the Judges discretion, & execution thereof, as in recoveries byon debt or trespass, wherein no E. 3. &c. 8. Ed. 4. 2.

At what time,
& by whom gi-
uing of liew-
ries is lawfull.

6 ¶ But this act extendeth not to any gift, graunt, or confirmati-
on made of any fee, annuitie, pension, rent, lands, or tenements by the
Queene or any others, to any other person or persons for their coun-
sell giuen or to be giuen, or for their lawful seruice done or to be done
(and for no vnlawfull cause) although the person to whom such gift,
graunt, or confirmation is made, be not learned in the one lawe or the
other. Neither doeth it extend to any liuerie giuen at the Kinges or
Queenes Coronation, or at the instaument of an Archbishop or Bi-
shop, or erection, creation, or marriage of any Lord or Lady of estate,
or at any creation of any Knightes of the Bathe, or at the commence-
ment of any Clerke in any vniuersitie, or at the creation of Serieants
of the lawe, or giuen by any fraternitie, guilde, or misterie corporate,
or by the Maior, Sherife, or other chiefe officer of any citie, Borough,
Towne, or port of this Realme of Englande for the time being, du-
ring that time for the executing of their office or occupation. Nor to
any liueries or badges giuen in the defence of the Queene, and of
this realme. Nor to the Constable or Marshall, for giuing any badge,
liuery, or token, for any feates of armes to be done within this realm.
Nor to any wardens of the Marches towardes Scotland for any li-
uery, badge, or token by them giuen from Trent Northward, at such
time onely as shalbe necessarie to leuie people for the defence of the
Marches. 1 H. 4. 7. 8. Ed. 4. 2.

The Queenes
officers shall
not be retap-
ned with o-
thers, nor shall
retaine her tes-
nants.

7 ¶ If any Stewarde, Auditor, Receiuor, or Bailife that now is,
or hereafter shalbe, of any of the Queenes honours, Lordshippes, Ma-
nours, Landes, and Tenementes, Constable, or keeper of any of her
Castles, Warden, Master of Game, Parke keeper, or any other offi-
cer of any of her saide Forrests, Chases, Parkes, or Warrens, that
nowe is, or hereafter shalbe vnlawfully retained with any person, or
retaine any man dwelling within any of the sayde honours, Lord-
shippes, Mannours, landes and tenementes contrary to any act, or or-
dinance

binance before this time made: Or suffer any man dwelling within the same Honors, Lordshippes &c. to be unlawfully retained with any other man or person, what degree or condition soever he be of, and shew it not to the Queene within xl. daies next after hee haue knowledge thereof, and howe, and with whom he is so retained. Or if any of the said Officers conuey any of the said tenants, inhabitants, sermons to the Queene, to any fielde, assembly or Rout, otherwise then by the Queenes commaundement, to doe her such seruice as he shalbe commanded, and that alway in the Queenes liuery and signe, with a cognisance of him which so conuey them by the Queenes commaundement. Or if such officer come not to the Queen in the time of trouble or warre, when he thereunto shalbe commanded, hauing no reasonable excuse to the contrary, All graunts then made or had to him, of any of the said officers by the Queene, or by any of the Queenes progenitours or predecessours, shalbe utterly voyde and of none effect. 3.

The Queenes officers at her commaundement.

Hen. 7. 12.

8 If any sermon or tenant within any of the same honors, Lordshippes, manors, landes and tenements, bee retained with any person or persons, contrary to the Statutes, by liuery, signe, token or oth, indenture of promise, or to goe to any fielde, gathering or assemble, in any mans Liuery, signe or token, but onely in the Queenes Liuery and signe, and to serue her onely, and where hee shalbe commanded by the Queene, All graunts and leases to him made for terme of yeeres, or at will of landes, tenements, rentes or other possessions, being parcell of any the saide honours, Lordshippes, manors, landes and tenementes, shalbee then utterly voyde and of none effect. 3.

The Queenes tenant shal not be retained with any other.

H. 7. 12.

It appeareth by one Proclamation of the 3. day of January, An. 14. El. and by one other of the 19. of Aprill, An. 25. of her raigne, made against Retayners, that her graces pleasure is, that the foresaid Statute of 3. H. 7. amongst other statutes provided against unlawful retainers should be duely obserued & executed. But conferre this Stat. of 3. H. 7. with the statutes made. 11. H. 7. 18. and 19. H. 7. 1. which were provided to auoyd the like inconueniences that this was, & penned in such manner as this is: And then, whether this Statute was provided to bee perpetuall, or made onely to continue during the life of King H. 7. as generally men doe thinke the other two Statutes were, Quære.

1 What issues shalbe returned vpon any person in an Information sued vpon the statute made against giuing of Liuries. S. Returne of Shirifes, 11.

Mainprise

Transporting
of sheepe.

NO person shalbe let to baile or mainprise, which is committed to prison for bringing, deliuering, sending, receiuing, or taking, or procuring to bee brought, sent &c. into any shippe or bottome, any sheepe being aliue, to be conueyed out of any of the Queenes dominions. 8. El. 3. S. Sheepe 1.

Watter.

2 **N**O any maker, or worker of Wats, which is committed to prison, for taking aboue ii. apprentices at one time, or for taking any of those for any lesse time then vii. yeres. 8. El. 11. S. Hartes. 6.

Accomptant.

3 **N**O any seruant, bailife, chamberleine, or receiuor accomptable, which vpon his accompt before Auditor is founde in arrerages and committed to the gaole. 13. Ed. 1. 11. S. Accompt. 2.

Seruant.

4 **N**O any seruant committed to prison for departing from his master with whom he was retained before the end of his terme, or for departing at the end of his terme without one quarters warning giuen before, or for refusing to serue for the wages rated, according to the statute being thereunto requested, or for not seruing where he promised or couenanted to serue. 5. El. 4. S. Laborers. 6.

Artificer,
Laborer.

5 **N**O any Artificer, or Laborer, which is imprisoned for departing from any peece of worke which hee hath taken in great, in taske, or in grosse, to finish: before he hath ended the same, without licence of the master of the worke, or of him that hath charge thereof, except his wages be withholden, or he appointed to serue the Queene. 5. El. 4. S. Laborers. 10.

Giuers or re-
ceiuers of wa-
ges not allow-
ed.

6 **N**O hee which is imprisoned for giuing or receiuing more wages then is assessed in a proclamation made for that purpose, in the Countie, Citie, borough &c. where he dwelleth. 5. Eliz. 4. S. Laborers. 4.

Forging of
deedes.

7 **N**O hee which is committed to prison for false forging or wittingly assenting, or causing to be forged or made, any false deed, charter or writing sealed, court rolle, or the will of any person in writing, to the intent &c. or any obligation, bill obligatory, acquaintance, release, or other discharge of any debt, accompt, accion, suit, demaund, or other thing personal, or for that he did pronounce, publish, or giue in euidence any such false or forged charter &c. as true, knowing y^e same to be false & forged. 5. El. 14. S. Forger of deedes. 1. 2.

Arrestments
at an vnknown
mans suit.

8 **N**O he which doeth maliciously, or for vexation procure any other person to bee arrested or attached to aunswere in the Kinges Bench, Marshalsey, or in any court within London (or other place where any liberties is to hold plee in any accion personal) at the suite, or in the name of any person, where there is no such person known, or without the assent of such person, at whose suite, or in whose name &c.

&c. and is thereof conuict or lawfully accused &c. and committed to prison for vi. moneths &c. 8. El. 2. S. Dammmages. 1. 2. 3.

9 **N**or hee which is committed to prison for iii. dayes, for keeping of an Alehouse beeing not allowed, or beeing forbidden by two Iustices of peace. 5. Ed. 6. 25. S. Alehouses. 2. Alehouse.

10 **N**or he which is committed to prison for that he beeing an Alien borne, and not denizen conueieth into any partes out of the R. obeyfance any long Bowes, Arrowes, or Shaftes, wout þ Queenes licence, vntil he hath made fine to the Queene, by the discretion of the Iustices of peace in their Sessions. 33. H. 8. 9. S. Aliens. 2. Arche-ric. 6. Aliens.

11 **N**or he which is committed to prison for wearing any silke, contrary to the stat. in that case prouided, vntil he hath payed the forf. whereof he is conuicted. 1. & 2. H. and H. 2. S. Apparel. 17. Apparell.

12 **N**or any petit Iurie in London which is attainted by the verdict of a graund Iurie, and therfore committed to prison, or which hath receyued any money, reward, or promise thereof, of the defend-
dant in the attaint, for the intent of giuing his verdict whereupon the Attaint is groundd, nor the defendant in the said attaint which doeth giue or promise the sayd money or rewarde, and is therfore commit-
ted to prison. 11. H. 7. 21. S. Attaint. 16. 17. Attaint.

13 **N**or any Collector or surueior of any decaied brydge, which is comitted to prison for refusing to accompt to the Iustices of peace, of the receipts and payments of money by him receyued toward the repaire of the said brydge, vntil he hath truely accompted. 22. H. 8. 5. S. Bridges 4. Collectors.
Surueyors of
brydges.

14 **N**or þ mother or reputed father of any Bastard begotten & borne out of lawful matrimony, committed to prison for not perfor-
ming an order made by two Iustices of peace for þ keeping of such bastard childe (except he or she shal put in sufficient suretie for perfor-
mance of þ said order, or personally appeare at the next general Ses-
sions in þ shire where such order shalbe taken, & to abide such order as the said Iustices there shal take.) 18. El. 3. S. Bastardie. 1. Father or
mother of a
bastard.

15 **N**or any Souldier committed to prison for making away any horse or harneis wherewith he shalbe set forth, vntill he hath sa-
tisfied the owner thereof. 2. Ed. 6. 2. S. Captaines. 1. Souldier.

16 **N**or any person which is comitted to prison for any offence by him committed contrary to the stat. prouided against fond & phan-
tastical prophecies. 5. El. 15. S. Prophecies 1. Prophecies.

17 **N**or he which is committed to prison for being conuicted of any offence by him comitted contrarie to the stat. made for the taking

of Musters, vntill he hath payd the for. in the sayd stat. specified. 4. & 5. P. & M. 3. S. Captaines 12. Iustice of peace 26.

Witchcraft.

18 ¶ Noz he which is committed to prison for a whole yere, for vsing any Witchcraft, Enchantment, Charme, or Sorcerie, or for being counselling, or ayding thereunto, contrary to the statute in that case prouided. 5. El. 16. S. Coniuration 3. 4.

Transporting of coine, vit-tails.

19 ¶ Noz any Master, or Mariner of any ship, crayer, or vessell which is committed to prison, for transporting beyonde the sea, or into Scotland, any Coine, Salt, Beere, Butter, Cheese, Herring, or wood, without lawfull authoritie, or for conueying by boate &c. any of the foresayd things to any ship on the Sea, or within any hauen to be transported &c. noz any man which hauing license to transport y foresayd thinges, doeth transport more then is contained in his license. 1. & 2. P. & M. 5. S. Corne 1. 2. 3.

Transporting of leather, tallow, and rawe hydes.

20 ¶ Noz the Master or Mariner of any ship comitted to prison for lading, shipping, or carying in any ship or otherwise any Leather, Tallowe, or Rawe hydes, of intent to transport the same beyonde the seas, or into Scotland, if the sayd Master, or Mariner doe knowe of the sayd offence. 18. El. 8. S. Leather 33.

Tithes.

21 ¶ Noz he which is comitted to prison by two Iustices of peace for refusing to pay his tithes, or duties, or any summe of mony wherein he is condempned for the same after the definitiue iudgement giuen against him by the Ordinarie, vntill he be bound with sufficient suerties to the Queenes vse to performe the said sentence. 27. H. 8. 20. 32. H. 8. 7. S. Tythes 22.

Excommunicate.

22 ¶ Noz he which shal yeeld his bodie to the sherife or other officer vpon any writ of Capias awarded according to the statute prouided for the due execution of the writ De Excommunicato capiendo. 5. El. 23. S. Excommunication 1.

Unlawfull taking of Fish, Deere, Haukes.

23 ¶ Noz hee which is committed to prison for committing any offence prohibited by the stat. prouided 5. El. for the punishment of unlawful taking of Fish, Deere, or Haukes, vntill he hath found sufficient suertie for his good abearing for the space of vii. yerres after the offence committed. 5. El. 21. S. Fish 7. Forestes 3. Haukes 1.

Eating of flesh.

24 ¶ Noz he which is comitted to prison for eating flesh, or for putting of flesh to sale, vpon any day vsually obserued a fish day. 5. El. 5. 27. El. 11. S. Fish dayes 1. 2.

Collector and Surueyor for Gaoles.

25 ¶ Noz any Collector or Surueyor, appoynted for the making of gaoles in certeine shires, committed to prison by the Iustices of peace, for refusing to make accompt, or to pay such mony as shal come to their hands for that vse, vntill they haue accompted and payde all the

the sayd money. 23. H. 8. 2. 5. El. 24. 13. El. 25. S. Prisons 2.

26 ¶ Noz any person committed to prison for sixe moneths or three monethes, for speaking, or reporting any false, sedicious, and slanderous Newes, rumours, sayings, or tales, agaynst our soueraigne Lady the Queenes Maiestie that now is. 23. Elizabeth 2. S. Newes 3. 4.

27 ¶ Noz the Sherife of any Countie committed to prison for one whole yere, for doing any thing contrary to any statute made in, or before 23. H. 6. concerning the election and returning of knights, Citizens, and Burgeses, to come to the Parliament. 23. H. 6. 15. S. Parliament 4.

28 ¶ Noz he which is committed to prison for sixe monethes, for committing wilfull periurie, noz he which doeth procure any witness to commit wilfull periurie, and therefore doth forfeit xl. li. and hath not lands, goods, or cattalls, to the value of the sayd xl. li. and is therefore committed to sixe moneths imprisonment. 5. El. 9. 14. El. 11. S. Periurie 1. 2.

29 ¶ Noz hee which is committed to prison by the President of the Colledge of the facultie of Physicke in London, or by such as the sayd President and Colledge shall authorize to searche and punish offenders for any offence or disobedience by him committed, contrary to the statute in that case provided, untill he be discharged of his imprisonment by the sayd President, and the persons authorized. 1. H. 9. S. Physitions 4.

30 ¶ Noz hee which is committed to prison by any Justice of peace, Maior, Baylife, Sheriffe, or other heade Officer &c. for keeping any house, alley, or place of unlawfull games, or for haunting, resorting, and playing there, untill hee be bounde to the Queenes vse in such summe, as to the foresaid officers shalbe thought reasonable, no longer to keepe or vse the sayde games. 33. H. 8. 9. S. Playes 5.

31 ¶ Noz any Collector for the releefe of the poore, which shall refuse to make his accompt, or shall neglect the same by the space of fourteene dayes after request to him therefore made, shall be therefore committed to prison, and shall there remayne untill he hath accompted and payed all surplusages which hee hath receyued. 14. El. 15. See Poore people 6.

32 ¶ Noz any Collector or Gouvernour of the poore, or Censor, Warden, or Collector for any of the houses of correction, committed to prison, for refusing to make accompt of such money as hee hath receyued to the uses aforesayde, or for neglecting the same accompt

Maynprife & Bayle.

within xiiij. daies after request to him made, or for not paying him one weeke after his accompt the whole arrerages which hee shalbe found in &c. vntill he hath made his account and paid the said arrerages. 18. El. 3. S. poore people. 26.

Disturbers of
Preachers.

33 **N**or he which is committed to prison for disturbing or misusing any Preacher in the time of his Sermon, being lawfully authorized to preache, or for rescuing, or disturbing the arrest of such offender. 1. H. 3. S. Preachers. 1. 2.

Chatour.

34 **N**or the Chatour, or other Officer of any noble man, or other, committed to prison for taking of any vitayles, corne, or other thing, of any of the Queenes liege people against their willes, vntill they haue redeliuered the same, or the very value thereof. 23. H. 6. 14. S. Purueiors. 1.

Warrneping
within five
miles of Cam-
bridge or Ox-
forde.

35 **N**or any Purueior, Taker, Badger, or other minister of the Queenes, nor any other common Poultier, committed to iii. moneths imprisonment for taking or bargaining for any vitaille, or graine in either of the markets or townes of Cambridge or Oxford, or within five miles thereof, without the licence of eyther of the Chauncelors, or Vice Chauncelors of the said vniuersities where &c. in writing obtained vnder the seale of y^e office. 2. & 3. H. & H. 15. 13. El. 21. S. Purueiors. 32.

Redisseisin.

36 **N**or he which is committed to prison for any redisseisin by him done, shalbe bayled or repleued by a common writ &c. 21. 2. 13. Ed. 1. 26. S. Redisseisin. 3.

Sacraments
and seruices.

37 **N**or any person committed to vi. moneths, xii. moneths, or perpetuall imprisonment for committing any of the offences prohibited by the statute provided. 1. El. for the vniformitie of common praier and seruice in the church and the administration of the sacraments. 1. El. 2. S. Sacraments. 2.

Vagabonds

38 **N**or any vagabond committed to prison by the Iustices of peace of the same shire, or by y^e head officer of any Citie or towne corporate where he shalbe apprehended, vntill the next Sessions of the peace, or generall gaole deliuerie of the same Countie, Citie &c. 14. El. 5. S. Vagabonds. 2.

Counterfeis-
ring of
weights.

39 **N**or he which is committed to prison for falsifying or counterfeiting of any false weights, vntill he hath made fine according to the discretion of the Iustices of peace. 9. H. 5. 8. S. Weights. 13.

Taking away
of maiides.

40 **N**or any person aboue the age of xiiij. yeeres committed to two yeeres imprisonment, for conueying, or causing to bee conueied any maide or woman childe vnmarrid within the age of xvi. yeeres, out of the post, & against the will of the father or mother, or such person

person as shal haue the gouernance of such maide, &c. other then such of whom she shal holde any landes by knightes seruice. 4. & 5. P. and 8. S. Women, 6. 7.

41 **N**or any person aboue the age of fourteene yeres committed to five yeres imprisonment, for taking away & deflowring, or for contracting matrimony with any maid or woman childe vnmarried vnder the age of xvi. yeres against the wil or vnknowing of y^e father, mother, or such as shal haue the gouernance of her, except y^e contract be made by the consent of her Gardein. 4. & 5. P. & 8. S. Women, 8.

Deflowring or
contracting
matrimony
with a maide.

42 **N**or any person which hath remoued his indictment of felony into the kings Bench, or is there appealed of felony, shalbe let to bayle by the Marshall of the kings Bench. 5. Ed. 3. 8.

Marshall of
the kings
bench.

43 **N**or he which is condemned in any of y^e Queenes courts, and by vertue thereof is committed to prison, there to remaine vntill he hath agreed with the plainife, at whose sute he was condemned. 1. R. 2. 12. 2. P. 5. 2. S. Escape. 3.

Condempnas
tion.

44 **N**or any Gaugeour, Packer or searcher of Fish, which is committed to prison for that he taketh more for gauging, packing, or searching then he ought to doe. 1. P. 7. 23. S. Fish, 12.

Gaugeour.
Packer
Searcher.

45 **N**or he which is committed to prison for being partle to any fayned or fraudulent feoffement, gift, bond, suit, &c. or knowing therof, shal willingly put in vze or defend the same as true and simple, or shal assigne the lands, leases, or goods to him conueyed. 13. El. 5. 14. El. 11. 27. El. 4. & 11. S. Fraudulent deedes, 2. 5.

Fraudulent
deedes.

46 **N**or any Forstaller, Regrator, or engrosser being conuict or attainted by the law, which for his first offence shalbe imprisoned two moneths, for his second, halfe a yere, and for the third, during the Q. pleasure. 5. Ed. 6. 14. 13. El. 25. S. Forestallers, 4.

Forstaller, Re-
grator, engros-
ser.

47 **N**or he which is committed to prison for one yere at y^e least for any great and heynous ryot by him and others done. 2. P. 5. 8. S. Riots, 11.

Riots.

48 **N**or any persons being aboue the number of two, and vnder xii. committed to prison for one yere for that they assembled together, and did intend, practise &c. with force of armes &c. to murder any the Q. subiects, or to breake downe &c. the pales, hedge, ditches, wall, or other closure of any parke or other ground enclosed, or the bank of any Fish pond or poole, to the intent the same should remaine open, or to doe any other unlawfull act prohibited by the stat. made An. 1. P. &c. & being required by a Iustice of peace or Sheriffe of the same countie, or by the Maior &c. or chiefe officer of the cite or towne corporate, to returne to their habitations, doe not, but attempt to put in vze any

Unlawfull as-
semblies.

of the said things. 1. Mar. 12. 1. Cl. 16. S. Riots, 20.

Moued to
make com-
motion,

49 ¶ Noz any person committed to prison for thre moneths, for that he being spoken vnto, or moued to make any commotion, insurrection, or vnlawful assembly for any intent prohibited (by p stat. made 1. H. against vnlawfull assemblies) did not within 24. howers after he was spoken vnto or moued (vnlesse he haue a good excuse) declare the same to one J. of peace, or sherife of p countie, or to p Maior, sherife, baylifes, or other head officers of any citie or towne corporate, where such motion was, vnles he shalbe discharged by thre Iustices of peace of the same shire &c. 1. H. 12. 1. Cl. 16. S. Riots, 24.

Procurers of
commotion.

50 ¶ Noz any person committed to prison for p he moued, stirred, or procured any other person to commit or doe any offence prohibited by the foresaid stat. 1. H. 12. 1. Cl. 16. S. Riots, 30.

Refusing to
represse rebels
lions.

51 ¶ Noz any person committed to prison, for that he being aboue the age of xviii. yerres, & vnder lx. able to serue, not sick, lame, or impotent, & being required by a J. of peace, sherife &c. Maior, baylife, &c. of countie, citie, borough, or towne, where any riotous assembly, contrary to the sayd stat. &c. shalbe, or by any other by their commandement, to goe with him or them to suppress the persons vnlawfully assembled, doeth willingly and obstinately refuse so to doe. 1. H. 12. 1. Cl. 16. S. Riots, 25.

Attendance
vpon the M.
Lieutenant.

52 ¶ Noz any other person committed to prison, for that hee (ha- uing no reasonable excuse) doeth not giue his attendance vpon the M. Lieutenant for suppression of any commotion, rebellion &c. after de- claration of his letters patents, and request to him made. 1. H. 12. 1. Cl. 16. S. Riots, 26.

Liueries.

53 ¶ Noz he which is imprisoned for buying or wearing any clo- thes or hats, called Liueries, of the sort or suit of any Lorde, Knight, Esquier, or other person to haue maintenance in any quarel, or in any other maner. 8. H. 6. 4. S. Liueries, 2.

Scholemaster

54 ¶ Noz any Scholemaster committed to prison for one yeere, for presuming to teach contrary to the stat. in that case prouided. 23. Cl. 1. S. Sacraments &c. 12.

Marking of
ware & honp.

55 ¶ Noz he which is committed to iii. monethes imprisonment for non sufficiencie of payment of v. li. forf. for counterfaiting or set- ting of an other mans marke vpon any peece of ware or vessel of ho- ny. 23. Cl. 8. S. Hony. 2. Waxe. 6.

Taking of fes-
sants, partrid-
ges.

56 Noz hee which is committed to prison for one moneth for not paying within x. dayes after his conuiction, such penalties as he shall forf. for killing of fessants or partridges with nets or other engines in the night time. 23. Cl. 10. S. Fessants &c. 2.

57 **N**or he which is committed to prison untill he hath satisfied the value of that which he hath forf. for infringing the act made An. 23. El. for the abolishing of deceitfull stuffe vled in dying of clothes. 23. El. 9. S. Dying. 1. 2.

Dying of
cloth.

58 **N**or a prisoner which before was outlawed. Nor he which hath abiured, Nor any approver, Nor he which is taken with the manner, Nor he which hath broken the N. prison, Nor a cheefe openly defamed, and knowen, Nor he which is appealed by an approver so long as the approver doth liue, except he be of good name, Nor he which is taken for burning of a house feloniously done, or for false money, or for counterfaiting the N. seale, Nor any excommunicate person, taken at the Bishops request, Nor he which is taken for a manifest offence, or for treason touching the N. W. 1. 3. Ed. 1. 15. And by the same stat. it doeth appeare, that he which was taken for the death of a man, by the K. commandement, or his Iustices, or for the forest, was not repleuisable by the common lawe.

59 **B**ut such as be indicted of Larceny by enquestes taken before Sherifes or Baylifes by their office, or of light suspicion, or for petit Larceny that amounteth not aboue the value of xii. d. if they were not guiltie of some Larceny before, or guiltie of receypt of theues or felons, or of commandement or force, or of aide in felonie done, or guiltie of some other trespass, for which one ought not to lose life or member. And a man appealed of an approver after the death of the approver if he be no common theefe nor defamed, shalbe let out by sufficient suretie, whereof the Sherife wil be answerable, and that with out giuing any part of their goods. W. 1. 3. Ed. 1. 15.

Where main-
prife is allow-
able.

60 **I**f the Sherife or any other let one goe at large by suertie which is not repleuisable, if he be Sherife, Constable, or any other baylife of fee, which hath the keeping of prisoners, and is thereof attainted, he shal lose his fee and office for euer, and if the vndersherife, Constable, or baylife of such as haue fee for keeping of prisoners, doe it contrary to the will of his master, or any other baylife being not of fee, they shall haue iii. yerres imprisonment, and make fine at the N. pleasure. W. 1. 3. Ed. 1. 15.

Bailement by
the Sherife of
one not bail-
able.

61 **I**f any Iustices of peace doe let to bayle or maynprife any person, which for any offence by him committed is declared not to be repleuisable or bailable, or forbiddē to be repleuised by þ forelayd stat. of 3. Edw. 1. the said Iustices so offending shall pay such fines, as the Iustices of Gaole deliuerie of the shire, citie, or towne where the offence shalbe committed (vpon due prooofe thereof by examination before them) shal assesse: But the Iustices of peace & Coroners within

Bailement by
Iustices of
one not bail-
able.

Maintenance, Champertie, &c.

London and Middlesex, and in all other Cities, boroughes, & townes corporate, within this Realme and Wales, haue authoritie to let to baile felons and prisoners, as they haue bene heretofore accustomed. 1. & 2. P. & M. 13. And in like sort shall sherifes or any other be punished by the Iustices of gaole deliuerie, according to the forme of the sayd stat. of 3. Ed. 1. which doe let to baile or mainprise any persons forbidden to be repleuised by the sayde statute, Statutum de Finibus &c. 27. Ed. 3.

Withholding
of prisoners,
repleuisable,
or taking of
reward to deli-
uer them.

62 **W**holesoever doth withhold prisoners repleuisable after they haue offered sufficient suretie, shall pay a greuous amerciamento to the Queene, and he that doth take any reward for the deliuerance of such shall pay double to the prisoner, and also a greuous amerciamento to the Queene. 1. 3. Ed. 1. 15.

1 For the bailement of prisoners by Iustices of peace, taking and certifying their examinations, and binding others to giue euidence against them. S. Iustices of peace 102.

2 Who may be let to baile or mainprise by any Sherife, and who not. S. Sherifes 8.

3 Where he shalbe let to mainprise which is endicted of murder at the Queenes suit and acquitted. S. Murder. 3.

4 That euery Shiriffe in Wales, may put suspect persons vnder common mainprise, and what fee hee shall take for the same. S. Wales. 46. 47.

Maintenance, Champertie, Embracery, and buying of Titles.

Maintenance
by the Q. or
her officers.

If any of the Queenes Counsellors, Officers, or seruants, or any other person whatsoeuer, doe take or sustaine any quarel, by maintenance, in the countrey or els where, they shalbe grieuouly punished in forme ensuing, that is, the said Councelors and Queenes great officers shall incurre such paine, as shalbe assessed by the Queenes maiestie, by the aduise of the Lords of y^e Realme, and other lesse officers and seruants of the Q. in the Eschequer & other courts, & of her ordinary household, shall lose their offices and seruices, be imprisoned, and also pay a fine at the Q. pleasure after euery of their degrees, estates, and deserts, and al other persons shal be imprisoned & pay fines at the Q. pleasure. 1. Ed. 3. 14. 1. R. 2. 4.

Clerkes tak-
ing present-
ment or part
in quarels.

2 **I**f any clerke of y^e Q. or of any Iustice, do receiue the presentment of any Church, for y^e which any plee or debate is in y^e Q. court, without the Q. speciall licence, he shal lose the Church & his seruice.

And

And if any Justice or Sherifes Clerke, take part in any quarell, or matter depending in the Queenes court, or do worke any fraud whereby comon right may be delaied or disturbed, he shall loose his service, & be further punished if the trespass do require. *21. 1. 3. Ed. 1. 28.*

3 **I**f any Riot, Rout, or unlawful assemblie be committed, and the Justices of peace or ii. of the do thereof make inquirie, according to y^e statute, for y^e cause provided. *13. H. 4. & the said riot &c. is not found by the Jurie, by reason of any embracery or maintenance of the sayd Jurors, the euerie persō duely proued to be a mainteiner or embracero of the same, shall forfeit to y^e Q. xx. li. & be committed to warde, there to remaine by discretion of the Justices. 19. H. 7. 13. S. Riots 15.*

Maintenance
in enquire of
Riotes.

4 **W**hosoever doth unlawfully maintaine, or cause, or procure any unlawfull maintenance in any action, suit, demand, or complaint in any of the Queenes Courtes of the Chauncerie, Starre chamber, white Hall, or els where within any of y^e Queens dominions of England, or Wales, or y^e Marches of y^e same, where any person or persons haue auctoritie by vertue of the Qu. commission, patent, or writ, to hold plee of lands, or to examine, heare or determine, any title of lands, or any matter of witnes concerning the title, right, or interest of any lands, tenements, or hereditaments, or doeth unlawfully retayne for maintenance of any suit or plee, any person or persons, or Embrace any freeholders or iurors, or suborne any witnes by letters, rewardes, promise, or by any other sinister labour or meanes, for to maintaine any matter or cause, or to the disturbance or hinderance of Justice, or to the procurement or occasion of any maner of periurie, by false verdict or otherwise, in any of the courtes aforesaid, shall forfeite for euerie such offence x. li. to the Queene and I. to be rec. by A. J. &c. wherein no *21. &c. E. 3. 1. &c.* if the suit be comenced in any of the Queens Courts, within one yere next after any such offence committed, or els not. *32. H. 8. 9.*

Maintenance
of suits depend-
ing in any of
the Queenes
courtes.

Embrace in-
rors, Suborne
witnesses.

5 **N**o officer of the Queenes, nor other person whatsoever, shall take upon him to maintaine any matter depending in suite, to haue part of the thing in plee, or other profite, *West. 1. 3. Ed. 1. 25.* Neither shall any person upon such consideration, couenant or depart with his right to an other, and if any doe, and thereof be attainted, the taker shall forfeit to the Queene so much of his landes and goodes as the value of the thing in such sorte taken for maintenance doeth amount vnto. And whosoever wil, shall be receiued to sue for the Queen before the same Justices, before whom the suit was depending, and by them the iudgement shall be giuen, but a man may take the counsell of those which be pleaders of the law, & learned men for his fee, & of his friends,

Champertie.

Maintenance, Champertie &c.

friends. *W. 2. 13. E. 1. 49. 28. Ed. 3. 11.* And if any person doe take vpon him for maintenance, Champertie, or the like bargaine, any manner of suit or plee against another, & is attainted of such assumption, suit or bargaine, or of consent thereto, he shalbe *iii. yeres* imprisoned, & further punished at the Queenes pleasure. *33. Ed. 1.*

Champertours.

6 **C**hampertours be they that moue pleges & suites, or cause to be moued, either by their owne or others procurement, & sue them at their owne costs, to haue part of the land or gaires in variance. *33. Ed.*

Embraceour.

1. An embraceour is he which commeth to the barre with the party & speaketh in the matter, & is there to suruey the Iury.

Buying of titles.

7 **N**o person or persons shall bargaine, buy, or sell, or by any meanes obtaine, get, or haue any pretended rightes or titles, or take, promise, grant or couenant to haue any right or title, of any person or persons, in or to any manors, lands, tenements, or other hereditaments, but if such person or persons which shal so bargain, giue, grant, couenant, or promise y^e same, their aūcestors, or they by whom he or they claime the same, haue bene in possession of the same, or of the reuerſion or remainder thereof, or taken the rents, or profits thereof, by the space of one whole yere next before y^e said bargain, couenāt, grant, or promise made, vpon paine y^e he that shall make any such bargaine, sale, promise, couenant or grant, shal forfe. the whole value of the lands, tenements or hereditaments so bargained, solde, promised, couenanted, or graunted, contrary to the forme of this act. And the buyer or taker thereof knowing the same, shall also forfe. y^e whole value of the said lands &c. so by him bought or takē as is abouesaid, to the Q. & J. to be recouered by A. J. &c. wherein no *W. E. P. J. &c.* if the suit be commenced in any of the Queenes courts within one yere after the offence committed, or else not. *32. H. 8. 9.*

Purchasing of pretended title.

8 **B**ut it is lawfull to any person being in lawfull poss. by taking of the yerely farme, rents, or profits of any manors, lands, tenements, or hereditaments, to buy, obtain, get, or haue by any reasonable means y^e pretended right or title of any other persō or persōs to be made to, of, or in such lands &c. wherof he shal so be in lawfull poss. *32. H. 8. 9.*

1 For the punishment of Embraceours. *S. Iurors. 5.*

2 For giuing or receiuing of liueries for maintenance. *S. Liueries. 1. 2.*

3 Who may vse any accions, or pursue vpon the statutes provided against maintenance, Champertie, Embracerie &c. *S. Actions popular. 6.*

4 The punishment of forcible entries by way of maintenance. *S. Force. 5.*

¶ Maulc.

¶ Mault.

NO person or persons, shall make any Barley Mault, (y^e moneths of June, July, and August onely except) but that the same shall haue in making thereof, that is to say, in the fatte, flower, steeping, and sufficient drying of the saide Mault, thre weekes at the least. And no person or persons, at any time within the said monethes of June, Julie, and August, shall make any barley Mault, except the same haue in the fatte, flower, steeping, and sufficient drying, the time and space of seuentene dayes at the least. Under and without which time and times, the saide Mault cannot be well and perfectly made, nor wholesome for mans body: Upon paine to forfeite for euerie quarter of Mault, which shall be made by any person or persons, contrary to the tenor, purport and true meaning of this Act, two shillings, to the Q. and J. to be recovered by A. B. P. or J. wherein no W. C. P. or J. &c. 2. Ed. 6. 16. 27. El. 14.

How long
Maulte shall
be in the fatte,
flower, steep-
ping, and dry-
ing.

2 No person or persons, shall mingle or put together any Mault, not beeing well and sufficiently made, or beeing made of Mowburnt or spired Barley with other good Mault, and after put the same so mingled to sale, vpon paine to forfeite for euerie quarter so mingled and put to sale, two shillings to the Queene and J. to be recovered by A. B. P. or J. wherein no W. C. P. or J. &c. 2. Edw. 6. 16. 27. Eliz. 14.

None shall
mingle good
Maulte, with
euill.

3 If any person or persons, shall put to sale any Mault which shall not be sufficiently and well troden, rubbed, and well fanned, whereby there may be conueniently fanned out of one quarter thereof, halfe a pecke of dust, or more, then the person so putting the same to sale, shall for. for euerie quarter so put to sale, twentie pence to the Queene, and J. to be recovered by A. B. P. or J. wherein no W. C. P. or J. &c. 2. Ed. 6. 16. 27. El. 14.

Mault shall be
well troden,
rubbed, and
fanned.

4 The Iustices of peace, in euery of their Sessions, and also the Stewardestes in euery Leete, shall haue full power and authoritie, by vertue of this Act, to inquire, heare, and determine, as well by presentment of xii. men, as by accusation or information of two honest witnesses of, for and vpon all and euerie the offences and forfeitures aforesaid, as well for the Queene, as the party that shall sue, procure, or cause the same to be presented, as is aforesaid: And the Bayliffes and Constables of euery Borough, or Market towne, or other towne, where any such Mault shall be made or put to sale, shall haue full power and authoritie, from time to time, to viewe, searche, and suruey al such Mault, as shall be made or put to sale, within any of y^e said townes,
And

Iustices, Stewardestes of Leetes, and officers of Townes, shall punish offenders.

Merchants, Merchandizes.

And if any of them, shall thereupon finde any mault so put to sale, being euill made, or mingled with euill Mault, contrary to the tenor and true meaning of this Act, Then the Bailife or Constable, so finding any such Mault, euill made or mingled as is aforesaid, with the aduise of one Iustice of peace within the same Shire, shall cause the same to be sold to such person or persons and at such reasonable price or prices, and vnder the common price of the market, as to his discretion shall seeme necessarie and expedient. 2. Ed. 6. 16. 27. El. 14.

Mault made
for a mans
owne prouision:

5 This Act, nor any thing therein contained, shal not extend to charge, or be, to the making of Mault, for any mans owne prouision, for his owne house or family, neither preiudiciall to any person or persons, for, or concerning any the offences or forfeitures aforesaide: Except he or they so offending, shall happen to be sued, presented and accused for the same, in maner and forme aforesaide, within one yeere next after any such offence or offences, shall be done or committed. Any thing &c. notwithstanding. 2. Ed. 6. 16. 27. Eliz. 14. To continue for iii. yeeres after the end of this Session of Parliament, and after those iii. yeeres to the ende of the Parliament then next following.

Merchants, Merchandizes.

Merchant
stranger may
buy and sell
within this
realme without
interruption.

AL Merchants, Strangers & Denizens, & al other that will buy or sell corne, wines, Auer de poies, flesh, fish, and al other liuings & vitaille, woolles, clothes, & al other things vendible, from whence soeuer they come, at what place soeuer it be, Citie, Borough, Towne, Port of the sea, faire, market, or els where within the Realme, within franchise or without, may freely serue the to what person it shal please them, as well forrens as denizens, in grosse, at retaile, or by parcels, at their willes, to all people that will buy the same (except to the enemies of the Queene and her Realme.) And if any disturbance be done to any merchant stranger or denizen, or to any other for the sale of such things in any Citie, Borough, Towne port of the Sea, or other place which hath franchise, and the Maiors, and Bailifs, or other which haue the rule of such franchise, being required by the saide merchants, or other thereof to prouide remedy, & do not, & thereof bee attainted, the franchise shalbe seised into the Queenes hands, and neuertheles, they which haue done this disturbance shal restore to the sayde marchant his double damages which he hath thereby sustained. And if such disturbance or interruption be done in such places or Townes where no franchise is, & the lord (if he be present) or his bailife, constable

ble or other ruler of the said towns & places (in the absence of the said lord) being therein required to do right, & do not, & therof be attainted, they shal yeld to the plaint. his double damages as aforesaid, and the disturbers in the one case, & in the other aswell within the fraunchise as without, if they be attainted, shal haue one yeeres imprisonment, & be raunomed at the Queenes pleasure. No alien or denizen vpon the foresaid paine shalbe troubled, but hee may freely buy such things as aforesaid in y^e said places, & cary them where it pleaseth him to his own vse, or to the profite of the Queene or the realme, sauing y^e such merchants Aliens shal carry no wine out of the same realme. But no merchant stranger shal alien, sel at retaile, nor buy, nor make merchandize within the realme with an other straunge merchant alien, to sell againe, nor no merchant alien shal sel to retaile within the same realm, nor shal put to sale any maner of wares or merchandizes except liuings, and vitailles. And also al aliens shal sel wines by whole vessels, and Spicerie by whole vessels and bales, and in no other maner. And no maner of spicerie after it is brought into the realme, shalbe caried out of the same by alien or denizen, vpon paine of forfaiture of the the same. 9. Ed. 3. 1. 25. Ed. 3. 2. 11. R. 2. 7. 16. R. 2. 1. 2. R. 2. 1. S. Aliens. 1.

One stranger
shal not mar-
chandise with
an other.

Wines.

Spices.

2 ¶ If any Maior, shirife, bailife, or other officer in any citie, borough, or towne within this Realme, do distraine, take, or leupe any custome called Scauage or the wage of any merchant denizen, or of any other the Q. subiects denizens, for any merchaundizes to the Q. before truly customed that is brought by land or by water to be vttered in any citie, borough, or towne in this land, or for non payment of the said Scauage let any Merchants, or any other persons denizens to sel and vtter their merchandise by them brought into any city, borough, or towne, then he which offendeth shal for. for euery offence xx. li. to the Queene & the partie griened, or any other that will sue, wherein no W. & C. E. P. & C. But y^e Maior, sherifes, & cominaltie of London, & euery of them shal haue al such summes of money for scauage of euery person denizens as by right they ought. 19. H. 7. 8.

No scauage
shalbe paid for
merchandise
customed.

3 ¶ No person shal bring, or cause to be brought into this realme of England, from the partes beyonde the seas, any girdles, harnesse for girdles, rapiers, daggers, kniues, hiltes, pumels, lockes, chapes, dagger blades, handels, scaberds, & sheathes for kniues, saddels, horse harnes, sturruppes, bittes, gloues, pointes, Leather, or laces, or being readie made in any parts beyonde the Seas to be solde, bartred, or exchanged, within this Realme of England or Wales, vpon payne to forfeite all such wares so brought contrarie to the true meaning of this

Merchandise
not lawfull to
be brought in
to this Realme

this act, in whose hands soever they or any of the same shall be found, or the very value thereof, to the Queene & I. or him that will seise y^e same or sue therefore in any of the Q. courts of record by A. B. P. J. or otherwise wherein no W. E. P. & c. Provided alwayes, that from henceforth it shall and may be lawfull, to all and every the Queenes subiectes, to bring into this Realme, all & all maner of pynnes, made beyond the Seas, any acte or Statute & c. notwithstanding. 3. Ed. 4. 4. 1. R. 3. 12. 5. El. 7. 27. 11. to continue to the ende of the next Parliament now next ensuing.

Shipping of
fells, Skinnies,
Leather.

4 ¶ If any person do ship or conuey, or cause to be shipped & c. in or to any Shippe, Boate, or vessell, in or vpon the sea, or in or vpon any haven, Creeke, riuer or place within Englād or Wales, any maner of sheepeskinnes, woolfels, sherelings, morlings, or y^e skinnies of any stagge, hynd, bucke, doo, goat, fatwe, or kidde, or the pelses of any of them, or the lether made of any of the (tawed lether made of sheepe skinnies onely except 8. El. 14) to the intent to transport the same beyond the sea, there to be uttered by way of Marchandize, or otherwise, he shall forfeit all such skinnies, or pelses, bought, laden, shipped, or transported, or the value of them, and also ii. shillings sixe pence for every fell, pelt, skinne & c. bought, laden, shipped, or transported, to the Queene and I. to be rec. by A. J. & c. wherein no E. Protection, Injunction & c. But the Marchants of the Staple, y^e marchants of New Castel vpon Tyne, Hartilpole, and Berwike, their seruants, factors, and attorneys, may transport all such unlawfull wares as heretofore they lawfully might haue done. 5. El. 22.

At what time
& place mer-
chandise shall
be discharged.

5 ¶ No man shall lade, or cause to be laden from any place on the land, into any shippe or vessell to be transported into any foraine Region, or lay on land, or take & c. out of any shippe (being not in leake or wracke) any goods brought from any parts out of y^e Queens dominions, by way of Marchandise (fish taken by the Queenes subiectes and salt except) but onely in the day light, viz. from the first of March vntill the last of September, betwixt the Sunne rising and the Sunne setting. And from the last of September vntill the first of March, betweene the houres of seuen in y^e morning, & foure in the after noone, & in and vpon some such open place, key or wharfe, as y^e Q. maiestie hath, or shall appoint, or where a Customer, Comptroller, & Sercher (whol only except) by the space of x. yeres, before the making of this act (being 23. January Anno Do. 1559.) haue bene resident, vpon paine of forfe. of all such goodes or Marchandise so laden, or discharged, contrary to the true meaning of this act, or the value thereof. 1. El. 11. 4. P. 4. 20.

6 **I**f any Master, or other person taking charge of a ship, craier or vessell, do receiue into his ship, or lay on land out of his shippe any goods or marchandise (except before excepted) to be transported ouer or brought in from any place out of y^e D. dominions in any other place or at any other houre then is before limitted, he shall forfait for euerie offence a hundred pound to the D. & J. to be rec. &c. wherein no W. &c. E. P. J. &c. i. El. ii.

At what time and place the master of a ship shall receiue or discharge his lading.

7 **N**o Master shipper, or other, taking charge of the voiage, shall receiue into his ship any goods (except before excepted) to be transported out of y^e Queenes dominions, before he shall signifie to the Customer & officers of the port where he ladeth, that he intēdeth to lade, & into what place he intēdeth to passe. Nor shall after his lading depart out of the Port where he shall lade, before he do signifie vnto the said officers of his lading, and what persons shall haue lading with him in his ship. And further doe truely answere to such questions as shall be ministred vnto him by the Customer, or other officer concerning the marchandise laden, being examined vpon his othe, or otherwise, vpon paine to forfait for euery default not truely aduertising, nor answering C. li. to the D. & J. &c. wherein no W. &c. E. P. &c. i. El. ii.

Shipper shall giue notice to the Customer of his departing.

8 **I**f any person taking charge of a ship wherein any merchandise (except before excepted) shall be brought from any parts out of the D. dominions, shall discharge into any lighter & lay on land, or procure or willingly suffer to be discharged &c. any goods before he shall haue declared to the Customer, or other officer of the Port where hee arriue, the names of euery of the marchants or laders, and shall haue truely answered to such questions concerning such marchandise as shall be to him ministred vpon his othe, or otherwise, by such Customer or Officer, he shall forfeit. C. li. to the D. & J. wherein no W. &c. E. P. J. &c. i. El. ii.

The Customer shall be aduertised of all merchandise brought in.

9 **E**uery Marchant alpen, & euery vitailer, or other stranger not being denizen, which shall resort into any place or Port of thys realme or Wales, shall duely imploy all the money receiued by him in any porte of the same realme, or Wales, vpon the marchandizes or other commodities of this Realme (sauing his reasonable costes by the ouersight of the chiefe Gouvernor of the place where hee shall arriue) or without fraude shall put the same in due payment to the Queenes people within the Realme: the same imployment in payment to be duely proued by the stranger before his departing out of the same port, by writing from the Marchant to whom the sayde stranger hath payed his money, witnessing that he hath so done, or els by such proofes as shall seeme reasonable to the Customer or Comp.

Aliens shall imploy their money in this Realme.

Comptroller of the same Port, and Mayor, Bailife, or other chiefe Governour of any such Citie, Borough, or towne, where such port shalbe, vpon paine of forf. of all his goods, being within the Realme, & one yerres imprisonment. 4. H. 4. 15. 17. Ed. 4. 1. 3. H. 7. 8. And merchants Aliens shall finde suertie in the Chauncerie euerie companye of them of their company, that none shall carry Gold or Siluer out of this Realme, against the statute therfore prouided, vpon paine of forf. of the same or the value. 2. H. 6. 6.

Merchants of
Irelande,
Iernesey,
Garnesey.

10 ¶ Euerie merchant of Irelande, Iernesey, & Garnesey, that bringeth any merchandise into this realme, shall imploy the money receiued for the same (his reasonable expences deducted) vpon the commodities of this realme, or else without fraude shall put the same money in due payment within this lande (the sayde imployment or payment to be proued as is aforesaid) vpon paine of forf. of the value of the Merchandize so brought into this Realme. 3. H. 7. 8.

None dwel-
ling in a coun-
trei shall sell
wares by re-
taile in a mar-
ket towne.

11 ¶ No person dwelling in the countrey any way within England, out of any of the cities, boroughs, townes corporat, or market townes, shall sell, or cause to be solde by retaile, any wollen cloth, linnen cloth, Haberdash wares, Grocerie wares, Mercerie wares, at, or within any the said cities, boroughes, townes corporate, or market townes, or within the suburbs or liberties thereof (except it be in open Faies) (vpon paine to forf. for euerie time so offending vi. s. viii. d. and the whole wares so solde &c. to the D. & J. which will seise & sue for the same by A. J. &c. wherein no W. &c. C. P. &c. 1. & 2. H. & M. 7.

Countreymen
may sel wares
in grosse in
market
townes.

12 ¶ This act shall not be hurtfull to any persons that bring any of the saide wollen cloth, linnen cloth, Haberdash, Grocery, or Mercery wares, to any of the said cities, market townes, &c. to be sold by whole sale, in grosse, and not by retail, but euerie of them may lawfully sell the same by whole sale, in grosse, and not by retaile, as they might haue done before &c. 1. & 2. H. & M. 7.

When a coun-
trei man is
come to dwell
in a market
towne he
may sel by re-
taile.

13 ¶ This acte shall not extende to any persons that dwell in the Countrey out of any of the said Cities, Boroughes, townes corporate, or market townes, but euerie of them at any time when hee shalbe free of any of the guildes, or liberties, of any of the saide cities or market townes &c. & dwell within any of them, shall or may sell, or cause to be solde any of the wares aforesaid by retaile. Neyther shall this act be prejudicial to the liberties & priuiledges of the vniuersities of Oxforde & Cambridge, or either of them. 1. & 2. H. & M. 7.

Oxforde.
Cambridge.
Cloth of their
owne making
sold by retaile.

14 ¶ It shalbe lawful to all persons to sel or cause to bee sold by retaile or otherwise, al linnen or woollen cloth of their owne making, in euery citie, borough, or towne corporate, and market towne, as freely

freely as they might haue done before. 1. & 2. P. & P. 7.

1 In what fort Merchants and Handicraftes men shall pay their Tithes, S. Tithes, 30.

¶ Marches.

If any officer of any of the Courtes of the East March, or West March adioyning vnto Scotland, doe attache any person by his body, or by his goods, out of any of the Counties of Northumberland, Cumberland, and Westmerland, or the Towne of Newcastle vpon Tyne, to answere in any of the said Courtes, or by colour or cause of any manner of preferment taken in any of the said Courtes: It is lawfull for the person so attached to make resistance, and not to obey any such attachment. And if any person bee endammaged or grieved by such attachment, he may haue his accion of trespass, or false imprisonment, against them which shall make, or cause to be made such attachment, and in the same shall recouer treble dammages, if in the said accion the matter pleaded passe, or be iudged for the plaintife. And also the defendant shall haue two yeeres imprisonment, and pay C. s. to the Q. 31. H. 6. 3.

attachment.

hand

mark

our

and

for

¶ Mariners.

If any Mariner, or Güner, which taketh any prest or wages to serue the Q. her heires, or successors doeth not goe with, or doth depart from his Captaine within his terme, for the which the captaine hath retained him (except some impediment by the visitation of God suffer him not to goe) which he shall certifie immediatly to his captaine, and repay his prest monie, or except he doe obtaine licence of his captaine vnder his seale, it is felonie, and he shalbe punished as a felon. 18. H. 6. 19. 5. El. 5. 27. El. 11.

Mariner departing from his captaine.

2 **N**o mariner or fisherman haunting the sea as a mariner, or fisherman, shalbe compelled against his will to serue as any souldier vpon the lande, or sea, otherwise then as a mariner, except it shalbe vnder any captaine of some ship or vessel for landing to doe some exployt, which mariners haue vsed to doe, or vnder any other person hauing authoritie to withstand inuasion of enemies, or to subdue any rebellion within the Realme. And also except all such persons, as by tenure, lawful custome, or couenant be bound to serue, 5. El. 5. 27. El. 11.

Mariner or fisherman shal not serue as a souldier.

3 **N**o Fisherman, vsing or haunting the sea shall bee taken by the Queenes commission to serue her highnesse as a mariner on the

By what meanes fisherman shalbe taken to serue as mariners.

Marshall, Marshallie.

sea, but the said commission shalbe first brought by the Queenes taker to two Iustices of peace, next adioyning and inhabiting to the sayde Sea coastes, towne, or other places where the said mariners are so to be taken, to the intent the said Iustices may choose out, and cause to be returned such sufficient number of able men, as in the saide Commission shalbe cantained to serue her maiestie. 5. El. 5. 27. El. 11. to continue till the ende of the next Parliament.

1 For the Mariners forfaiture for transporting Corne, Beere, Butter, Cheefe, &c. S. Corne, 1.

2 For the Mariners forfeiture for transporting of Leather, S. Leather, 33.

3 For the pnnishment of watermen which hide themselves in the time of pressing, S. Boatemmen. 6.

¶ Marshall, Marshallie.

Of watchings
the Marshall
of the Queenes
house shall
hold plea.

The stewards and Marshals shall not holde plea of freeholde, nor of debt, couenant, nor any contract made betweene any of the Queenes people, but onely of trespass done within the Queenes house, or of other trespasses done within the verge, and of such contracts, and couenants that one of the Queenes house maketh with another within the same house, and not els where, and they shall pleade no plee of trespass, except the partie were attached by them, before the Queene depart from the verge where the trespass was committed, and they shal pleade them speedily from day to day, so that they may be pleaded and determined before y^e Queene depart out of the limits of the same verge, where the trespass was committed. And if they cannot be determined within the limittes of the same verge, the plees shall cease before the steward, and be determined at the comon law. The steward shall not take cognisance of debtes nor of other things, but of such persons onely which be of the Queenes house, nor shall holde any other plee by obligation made by a distress taken by the steward or marshall. And if they attempt any thing contrary to any part of this statute, is voyde. 28. Ed. 1. 3. Articuli super Chartas.

Cognisance of
debts.

The def. shall
not be estopped
by the
plaintifes
declaration.

2 If any plee of debt, detinue, or other plee personall be commenced betwixt any persons being not of the Queenes house, though the Record doe make mention that the plaintife & defendant in the same plee be of the Queenes house, yet the defendant shall not be estopped by such record but may make his auerment that he himselfe, or the sayde plaintife were not of the Queenes house at the time of the sayde plee or suit commenced, 15. H. 6. 1.

3 ¶ In all places where the Queene in her owne person shall come to rest, abide, or make repose, there within the verge limited to her Graces court (which shall not passe the space of xii. miles, to be accompted from her lodging. 13.R.2.3.) her Stewarde, Marshall, Coroner, and all other officers may keepe their courts for Justice, and execute their offices which shall apperteine unto them, according to the lawes, customes, and statutes of this Realme, aswell within liberties as without, during the time of the Queenes abode, any priuiledge or graunt notwithstanding. 27.H.8.25.

During the
Q. abode the
marshall may
keepe his
court within
franchises.
The verge. xii.
miles.

4 ¶ In euery case where requests be to be taken before the Steward and Marshall of the Queenes house, such enquestes shalbe taken by men of the countrey thereabout, and not by any of the Queenes house, except it be of contracts, couenants or trespasses made by such whereof the one part and the other is of the Queenes house, and that in the same house. 5.Ed.3.2.10.E.3.2.

Enquestes in
the Marshalls
court.

5 ¶ If any man will complaine of Error made before the Steward and Marshall of the Queenes house, he shall haue a writ to remoue the record and the proces into the Kings bench, and there the Error shalbe redressed. 5.E.3.2.10.E.3.3.

Error in the
Marshalls
court shall be
reuerfed in the
kings bench.

6 ¶ The Marshall of the Marshallie of the Queenes house may take the fees hereafter following in open Court. That is, of euery person which cometh by Capias to the said Court, iiii.d. and if he be let to mainprise vntill his day ii.d. more. And of euery person being defendant which is impleaded of trespass, and findeth ii. mainpernours to keepe his day vntill the end of the plee, ii.d. And of euery person committed to prison by iudgement of the steward, in whatsoeuer maner the same bee iiii.d. And of euery person deliuered of felony iiii.d. And of euery felon let to mainprise by the Court, iiii.d. But if the Marshall, or any of his officers vnder him, doe take any other fees then are before declared, the said Marshall, and euery of his officers shal lose their offices, and also shal pay to the P. griued treble dammages, for the which the sayd partie shall haue his suite before the Stewarde of the sayd Court, for the time being. A seruiter of Bils which beareth a staffe of the same court shall take for euery mile from the same Court, vntill the place where he shall do his seruice, i.d. and for xii. miles, xii.d. and to serue a Venire fac. or Distringas out of the same court y double, & if any Seruitor of bils do the contrary, he shalbe imprisoned, & make fine to the Queene after y discretion of the steward of the same court, and also be foriudged and banished the same Court. All which articles the Steward at his comming into the Countrey, hath auctoritie to proclaime & put in execution, 2.H.4.23. And Priestes & other eccle-

The Mars
shalls fees.

Seruiter of
billes.

Ecclesiastical
persons.

Matrimonie. Mesne.

statlicall persons taken in the Marshallsey of the Quenes house, shall pay such fees, as lay people shall reasonably pay and no more. 9.R.2.5.

Steward of
the marshallsey

7 ¶ The steward of the Marshallsey shalbe for ever from time to time assigned by writing vnder the seale of the Lord Stewarde of the Quenes house for the time being. 33.H.8.12.

1 In what cases the plaintifes shal answere damages in the Marshallsey. S.Damages.2.

2 Where the marshall shall not let to bayle him which is in the kings bench. S.Mainprife.42.

¶ Matrimonie.

AL persons be lawfull to contract mariage, that be not prohibited by Gods law to mary, & no reseruacion or prohibition (Gods law except) shal trouble or impeach any mariage, without the Levitical degrees. And no person of what estate, degree, or condition soever he or she be, shalbe admitted in any of the spiritual courts within y^e Quenes Realme, or any her lands and dominions to any proces, plea, or allegation, contrary to this act. 32.H.8.38.1.El.1. In the said stat. of 32.H.8. it was ordeined, that mariage being contract and solemnized in the face of the Church, and consummate with bodily knowledge, or fruite of childe, or children betweene the parties so married, shoulde be good and indissoluble, notwithstanding any precontract of matrimony not consummate with bodily knowledge, which either of y^e persons or both should haue made with any other before the time of contracting that mariage so solemnized and consummate &c. But that part of the stat. is repealed by 2.Ed.6.23.

¶ Mesne.

When chiefe Lords doe distreine in their fee for customes and seruices due vnto them, and there is a Mesne which ought to acquite the tenant, sithence it lyeth not in the mouth of the Tenaunt after he hath repleued the distress, to deny y^e demaunds of y^e chiefe Lord which auoweth in the Quenes court y^e the distresse is lawfully taken vpon his tenant, v^z. vpon the Mesne: this remedy folowing is prouided for the Tenaunt. That alsoone as the Tenaunt in Demesne (hauing a Mesne betweene him & chiefe Lord) is distreined, immediatly y^e Tenant shal purchase a writ of Mesne. And if the Mesne hauing land in the same Countie will make default untill the graund distresse be awarded,

warded, the plaintife shall haue such day giuen him in his writ of
graund distresse that before the comming thereof, two counties may
be holden, and the sherife shalbe commanded that hee doe distreine the
Mesne by the grand distres as in the writ is contained, and neuerthe-
lesse the sherife in two ful counties shall cause solemnely to be proclai-
med that the said Mesne shall appeare at the day contained in the writ,
to answere the tenant, at which day if he do appeare, the suit shall pro-
ceede betwixt them according to the accustomed maner, and if he doe
not appeare, then the said Mesne shall lose the seruice of his tenant, and
from thencefoorth the tennant shall not answere him any thing, but
(leauing the Mesne) shall answere the chiefe Lord those seruices and
customes which before time the foresaid Mesne had wont to do. But
the chiefe Lord shall haue no power to distraine the tenant in demesne
so long as the said tenant do offer him his seruices due & accustomed.
And if the chiefe Lorde doe require more then the Mesne ought to doe
vnto him, the tenant in this case shall haue the same exception against
the Lord, which the Mesne should haue had. And if the Mesne haue no-
thing in the Queenes power, yet the tenant shall purchase his writ of
Mesne to the Sherife of that countie wherein he is distreined, and if
the Sherife returne that he hath nothing, whereby he may be summo-
ned, yet a writ of Attachment shall be awarded, and if the sherife re-
turne that he hath nothing whereby he may be attached, yet a writ of
Graund distres shall be awarded, and proclamation shall be made in
forme aforesayde. If the Mesne haue no land in the countie wherein
the distres is taken, but hath land in some other countie, then an origi-
nall writ shall be awarded to summon the Mesne, to the sherife of that
countie wherein the distres is taken, and when that sherife shall re-
turne that he hath nothing in his countie, then a Iudiciall writ shall be
awarded to summon the Mesne to the sherife of that countie wherein
it is testified that he hath land, and the suit shall proceede in that countie
vntill it is come to the graund distres & proclamation, as before is sayd
of the Mesne hauing land in the same countie where the distresse is ta-
ken, and neuerthelesse suit shall be in y countie wherin he hath nothing,
(as before is said of the Mesne hauing nothing) vntill it be come to the
graunde distresse and proclamation, and so after proclamation made
in both counties, the Mesne shall be foreiudged of his fee and seruice.
And whereas it chaunceth sometime that the tenant in demesne is en-
fettered to holde of the Mesne by lesse seruice then the Mesne ought
to doe vnto the chiefe Lorde, when after such proclamation the tenant
hath atturned vnto the chiefe Lord (omitting the Mesne) the tenant
must of necessitie answere the chiefe Lord the seruices and customes,

The Mesne
foreiudged of
his mesualltie.

The tenant
holding by
lesser seruice
then the
Mesne doth.

which the Mesne before ought to haue done vnto him. And after the Mesne doth come into the court, and doth acknowledge that he ought to acquite his tenant, or is adiudged to acquite him, if after such acknowledging or iudgement, there be complaint made that the Mesne hath not acquitted his tenant, then a Iudiciall writ shall bee awarded, that the sherife shall distreine the Mesne to acquite the tenant, and to appeare before the Iustices at a certaine day, to shewe why he did not acquite him before. And when hee appeareth at the distresse the plaintife shall be heard, and if the plaintife can verifie that he hath not acquitted him, he shall peelde him dammages, and by awarde of the court, the tenant shall goe quite from his Mesne, and atturue vnto the chiefe Lorde, and if he doe not appeare at the first distresse, an other writ of distresse shall be awarded, and proclamation shall be made and as soone as that is returned, iudgement shalbe giuen as is aforesayde. And it is to be noted, that by this statute, the tenants be not excluded, but they may haue their warrantie of the Mesnes and their heires if they be impleaded of their tenements, as they haue had before, neither bee the tenants excluded, but they may sue their Mesnes according to the custome before time vsed, if they see that the proces in ancient time vsed, may more auaille them then that which is giuen by this statute. And it is to be vnderstanded, that by this statute, there is no remedie provided for all Mesnes, but onely in case where there is one onely Mesne betwixt the Lord that doth distraine and the tenant, and in case when that Mesne is of full age, and in case when the tenant without the preiudice of any other then of the Mesne, may atturue to the chiefe Lord, the which is sayd for women that be tenants in Dower, tenants by the curtesie of England, or otherwise tenants for terme of life, or in fee taile, for whome by this statute no remedie is provided. *U. 2. 13. Ed. 1. 9.*

Warrantie of the Mesne.

The tenant may take his remedie giuen by the common law.

For which Mesnes this statute is provided.

¶ Monasteries, Colledges, Freechappels, Chauntries.

Monast. giuen to the king which had not in lands aboue £C. li. by the peere.

Ano. 27. H. 8. it is enacted, that the said King H. 8. shal haue and enioy to him and his heires for euer, all such Monasteries, Priories and other Religious houses of Monks, Chanons, and Nunnes which haue not in lands, tenements, rents, tithes, porcions, and other hereditaments, aboue the cleere yerely value of £C. li. And in like maner shall haue all the scites & circuitees of euery such religious houses, and all & singuler the manors, granges, meases, lands, tenements, rents, reuerfions, seruices, tithes, pentions, Churches, chappels, aduowfons, patronages, annuities, rights, conditions, & other hereditaments,

ments, belonging to euery such Monasterie, Priorie, or Religious house, in as large maner, as the Abbots, Priors, Abbesses, and other Gouvernours of such religious houses &c. now haue or ought to haue the same, in the right of their houses. And also he shall haue to him & to his heires, all such monasteries, abbeyes, and priories, which at any time within one yeere next after the making of this act, haue bene giuen and graunted to his Maiestie by any abbot, prior, abbess, or prioress, vnder their couent seale, or that otherwise haue bene suppressed, or dissolued, and all the manors, landes, &c. and hereditaments to any of the same monasteries &c. belonging. And the king shall haue the actuall & real possession of all the said religious houses, so that he may giue and dispose them at his pleasure, without further inquisitions or offices to be found for the same. And the king shall haue to his owne vse all such ornaments, Tuels, goods, cattels, and debts which appertained to any of the chiefe gouvernours of the sayd monasteries or religious houses, in the right of their said monasteries or houses, at 1. Marcii, An. D. 1583. or at any time sithence, wheresoeuer they shall come, except onely such beastes, graine, & woods & such other like cattell and reuenues, as they haue sold before the said first day of March, or sithence, for the reasonable expences of any of the said houses &c.

Monast. suppressed within a yeere before.

Monast. goods given to the king.

2 And in the same statute it is further enacted, that euery person and bodie politique, which haue or shall haue any letters patents of the king of any of the scites, circuites, manors, lands &c. or other hereditaments which appertained to any monasteries, abbies, or priories, heretofore suppressed, or that shalbe suppressed by this act, shall haue & enioy the said scites, lands &c. and al other hereditaments contained in their letters patents, according to the tenour of the same letters patents. And shall also haue al such accions, suites, entrics, & remedies, to al intents for any thing contained in euery such letters patents, in like maner as the chiefe gouernours of any religious houses, which had the same, or ought to haue had, if they had not bene suppressed. 27. H. 8.

A confirmatio on of the kings letters patents made of Abbey lands.

3 Sauing to euery person and persons, and bodies politique, their heires and successors (other then the Abbots, Priors, Abbesses, Prioresses & other chiefe gouernours of the said religious houses specified in this act, & the Couents of the same & their successors, and such as pretend to be founders, patrons, or donoꝝ of such religious houses, or of any lands, tenements, or hereditaments belonging to the same, & their heires & successors) al such right, title, interest, possessions, leases for yeres, rents, seruices, annuities, commodities, fees, liberties, and liuings, pensions, portions, corodies, sinodes, pꝛores, and all other profits, as they or any of them hath, ought or might haue had, in,

Other mens titles saued.

Monasteries &c.

The founders
right of some
thing saved.

or to any of the said monasteries, or other religious houses, or in or to any manors, lands, or other hereditaments, that appertaine to any of them, as if the same houses had not bene suppressed by this act, but had continued. And saving unto euery person and persons being founders, patrons, or donors of any Abbey, Priorie, or other religious houses suppressed by this act, their heires and successors, al such right, title, interest, possession, rentes, annuities, fees, offices, leases, commons, & al other profits, which any of them haue, or should haue had, without fraude or couin by any meanes, otherwise then by reason or occasion of the dissolution of the sayd Abbeis, Priories, or other religious houses, into, or vpon any of the sayde Abbeis &c. whereof they be founders, patrons, or donors, or into or vpon any lands, tenemets, or other hereditaments belonging to the same, in like maner, as other persons and bodies politique, be saved by this act, as is before rehearsed. And as if the same Abbeis, Priories, or other religious houses had not bene suppressed by this act, but had continued in their essentiall bodies and estates. 27. H. 8.

Fraudulent
conueiuaunces.

4 ¶ All craftie and fraudulent recoveries, feoffements, estates, giftes, grauntes, and leases, and euery of them, made by any of the chiefe Gouvernors of such religious houses, vnder their Couent seales within one yeere next before the making of this act, shall be vtterly voyde. 27. H. 8.

Leases, offices,
fees, cozodies,
saved.

5 ¶ Such persons as haue leases for terme of life or yeeres, whereupon is reserued the olde rent, and seruices accustomed, and such as haue any offices, fees, or cozodies, that hath bene accustomed in such religious houses, and haue bought any liuerie or liuing in any such houses, shall haue and enioy the same, as if this act had neuer bene made. 27. H. 8.

Celles of houses
under the
obedience of
others.

6 ¶ But this act shall not be prejudiciall to any Abbots or Priours, of any abbeis or priories, being certified into the Eschequer, to haue in possessions and profits, spirituall and temporall, aboue the cleare yerely value of £C.li. concerning such Celles of religious houses, belonging to their Monasteries or priories, in which celles the priors, or other chiefe Gouvernours thereof, be vnder the obedience of the Abbots and Priors, to whom such celles belong, and cannot sue nor be sued, and be priors or gouernours datiuie or remoueaible, and account of the profits of such celles, at the pleasure of the Abbots and priors, &c. 27. H. 8. a Statute not imprinted. S. Husbandrie. 9.

All religious
houses which
before were, or
should be dissolved,
given
to king H. 8.

7 ¶ Anno. 31. H. 8. 13. It is enacted, that the king shall haue and enioy to him his heires and successors for euer, all & singular such late Monasteries, Abbathies, priories, nunries, colledges, hospitals, houses

ses of Friers, and other religious & ecclesiasticall houses and places, which sithence .4. Febr. Anno. 27. H. 8. haue bene dissolved, suppressed, renounced, relinquished, forfeited, giue vp, or by any other meanes come to his highnesse. And in like maner shall haue and enioy, all the scites, circuits, precincts, manors, lordshippes, granges, messes, lands, tenements, meadowes, pastures, rentes, reuerfions, seruices, woodes, tythes, pencions, porcions, parsonages appropriated, vicarages, churches, chappels, aduowsons, nominations, patronages, annuities, rights, interestes, entries, conditions, commons, leetes, courtes, liberties, priuiledges, franchises, & other whatsoeuer hereditaments, which appertained to the saide late monasteries, and other religious houses &c. or to any of them, in as ample maner, as the late Abbots, Priors, and other ecclesiasticall Gouvernours of such Monasteries and religious houses, had, helde, or occupied, or of right ought to haue had, holden, or occupied, in the right of their saide Monasteries, or religious houses at the time of the saide dissolution, or by any other meane, coming of the same to the king, sithence the sayde fourth day of Februarie. And not onely all the saide late Monasteries, Abbathies, and other religious houses, scites, circuits, manors, lands, and all other the premises, forthwith presently, but also all other Monasteries, and all other religious and ecclesiasticall houses and places, which hereafter shall bee dissolved, suppressed, or by any meane come vnto the King. And also all the scites, circuits, manors, landes, and other hereditaments whatsoeuer belonging to any of them, whensoever, and as soone as they shalbe so dissolved, or by any other meane come vnto the king, shalbe vested, and adiudged in the very actual and real seisin and possession of the king, his heires and successors for cuer, in the state & condition as they now be, and as though al the saide late monasteries, Abbathies, and all other religious and ecclesiasticall houses and places so dissolved, and suppressed, as also which hereafter shalbe dissolved, suppressed &c. or come vnto the king, scites, circuits, precinctes, manors, Lordships, granges, landes, tenements, and other the premises, & euery of them, were in this present act specially and particularly named by expresse words.

8 **C** Sauing to euery person and persons, and bodie politique, and the heires and successors of euery of them (other then the sayde late Abbots, and ecclesiasticall Gouvernours of the sayde late Monasteries, and other religious and ecclesiasticall houses and places, and the successors of euery of them, and such as pretende to be founders, patrons, and donours of such monasteries, and other Ecclesiasticall houses and places, or of any manors, mesuages, landes, tenementes,

Other mena-
titles laued.

and

and other hereditamentes, belonging to the same, their heires and successours, and the heires and successours of euery such patron, founder, or donoz, and the nowe Abbots, and other ecclesiasticall gouernors of such Monasteries and religious houses & places, which hereafter shal be dissolued, or come to the king. And such as pretend to bee founders, patrons, or donozs of such monasteries and ecclesiasticall houses and places, or of any manors, mesuages, landes, tenementes, or other hereditaments to any of them belonging, their heires and successours, al such right, title, claime, interest, possessions, rents, charges, annuities, leases, farmes, offices, fees, liueries, and liuings, portions, pencions, cozodies, commons, sinodes, prores, & other profitcs, which they or any of them haue, claime, ought, may, or might haue had, in, or to the premisses, or to any part or parcell thereof, in such like maner to all intents, as if this act had neuer bene made (rentes seruices, rents secke, and all other seruices, and suites only excepted.)
31. H. 8. 13.

Leases of lands
not usually let.

9 If any Abbot, prior, Abbess, prioress, or other ecclesiastical gouernor or gouernesse, of any Monasterie, Abbathie, or other religious or Ecclesiastical house or place, which hereafter shal be dissolued, suppressed, or come to the king, within one yeere next before the first day of this Parliament being 28. Aprilis, An. Do. 1539.) haue made, or hereafter do make any lease or graunt vnder his Couent or common seale, or other wise for terme of yeeres, or life, or liues, of the scite, circuit, and precinct of the said monastery, or ecclesiastical house or place, or of any part thereof, or of any manors, mesuages, landes, or other hereditaments, belonging to his sayde Monasteries, or ecclesiastical house or place, which manors, meases, granges, landes &c. or other hereditaments, were not before the same lease, commonly vsed to bee let to ferme, but reserued in the manurance, tillage, or occupation of the saide Gouernour or Gouernesse, for the maintenance of Hospitallitie and good house keeping, or now be in the manurance, tillage, or occupation of the sayde Gouernour or Gouernesse, for the maintenance of hospitallitie &c. Or within one yeere next before the first day of this Parliament hath made, or hereafter shall make any lease or graunt, for terme of life, or for terme of yeeres, of any manors, meases, landes &c. or other hereditaments, whereof and in the which, any estate or interest, for terme of life, yeere or yeeres, at the time of the making of any such graunt or lease then had his being or continuance, or hereafter shall haue his being or continuance, and then was not determined or expired, or at the time of any such lease to be made shall not be determined or expired: Or with-
in

Leases in res-
uerſion.

in one yeere next before the first day of this Parliament hath made or hereafter shall make any lease or graunt for terme of life, or for terme of yeeres, of any manors, meassuages, lands, or other hereditaments, upon the which leases, or graunts the vsuall and old rents and fermes accustomed to be peeld and reserued, by the space of xx. yeeres, next before the first day of this Parliament, is or be not, or hereafter shall not be thereupon reserued and peeld. Or within one yeere next before the first day of this Parliament hath made, or hereafter shall make any bargaine or sale of his woods, which woods be yet growing and standing, then all and euery such lease, graunt, bargaine, and sale of woods, shalbe utterly voyde. 31. H. 8. 13.

Leases not reseruing the olde rent.

Woodsales.

10 ¶ All feoffements, fines, and recoueries, had, made, knowledged, or suffered, within one yeere next before the first day of this Parliament, or hereafter to be made, knowledged &c. by any Gouernors or Gouernesses, of any Monasterie, or other religious or ecclesiasticall house or place, which hereafter shall be dissolued, suppressed &c. or come to the king, without the kings licence vnder his great seale, of any manors, meases, landes, tenements, or other hereditaments, which the sayde Abbots, and other ecclesiasticall gouernors and gouernesses, or any of them, or any of their predecessors, had or helde, or haue and holde of the gift, graunt, and confirmation of the king, or any of his progenitors, or of the which Monasteries, or Ecclesiasticall houses, the king is founder or patron, or which manors, meases, or hereditaments, were or be of the auncient foundation or possession of the same Monasteries, Abbathies, or Ecclesiasticall houses or places, shalbe utterly voyde. 31. H. 8. 3.

Assurance of lands without the kings licence.

¶ In the same Statute the like puruew was made in euery respect, to auoyde all leases of landes not vsuallly let, leases in reuerfion, leases not reseruing the olde rent, sales of wooddes, assurances of landes of the kings gift, or auncient foundation without the kings licence, made by any Abbots or Gouernors of any religious houses, which were before the making of the sayde statute dissolued within one yeere next before the dissolution or comming to the kings hands of the same houses.

11 ¶ But if any Abbot, Prior, Abbess, Prioresse, or other Gouernor or Gouernesse abouesayd, within one yeere next before the first day of this Parliament, or if any late gouernor or gouernesse &c. which in one yere next before any such dissolution or comming to the king of the Premises, haue made any demise, lease, or graunt, to any person for terme of yeeres, of any manors, meases, lands, or other hereditaments aforesayd, which person at the time of the said demise &c. had

Leases made within the yere to the olde lessees.

Lease for life to
the olde lessee.

Grauntes by
copie.

Leases allowed
and inrolled in
p court of aug-
mentations.

Assurances to
others by the
kings licences

had the same to ferme, for terme of yerres, then not expired: Then the said person to whom any such demise &c. hath bene so made, shal haue the same for terme of xxi. yeeres, onely from the time of the making of the said demise &c. if so many yerres be by the same demise &c. limited and expressed, or els for so many yerres, as in such demise beene expressed, so that the olde rent be thereupon reserued, & so that the same lease exceede not xxi. yerres. And if any Abbot, or other late gouernour or gouernesse, within one yeere next before any such dissolution or coming vnto the king of the premisses, haue made any demise, lease, or graunt, to any person or persons, for terme of life or liues, of any manors, meases, lands, or other hereditaments aforesaid, which person or persons, or any of the, at the time of the said demise, lease, or grant, had and held the same for terme of life or liues, or for terme of yerres then not expired: Then the said person or persons, to whom any such lease or graunt hath bene so made, shal haue and hold the same for terme of their life or liues, so that the olde rent bee thereupon reserued. And all and singuler leases and grauntes, made by coppy to any person or persons, of any of the said meassuages, landes, tenements &c. or other hereditaments aforesaide, for terme of life or liues, which by the custome of the countrey hath bene vsed to bee demised, letten, or graunted by copie of court rolle, shalbe good and effectuell in the lawe, so that the olde rent be reserued by & vpon euerie such lease and leases. This act &c. notwithstanding. 31. H. 8. 13.

12 **P**rovided alwaies, that al leases heretofore made of any the premisses, by the authoritie of the kings Court of Augmentations, And all such leases, feoffements, and woodsales made by the sayde gouernours or gouernesses, vnder the Couent or common seale of any of them, within one yere next before the dissolution or coming to the king of the saide Monasteries or Ecclesiasticall houses, which sayde leases, graunts, feoffements, and woodsales, haue bene examined, inrolled, decreed, or affirmed in the kings court of Augmentations. And the decree of the same put in wryting, sealed with the seale of the saide court, shalbe good & effectual, according to the same decree, any clause in this act &c. notwithstanding. 31. H. 8. 13.

13 **A**ll persons their heires & assignes, which sithence the saide iiii. day of February (vz. in Anno. 27. Hen. 8.) by licence, pardon, confirmation, release, assent or consent of the king vnder his great seale, heretofore giuen or made, or hereafter to bee had or made, haue obtained or purchased by indenture, fine, feoffement, recouerie, or otherwise, of the sayd late Abbots, Priors &c. or other Gouernour or Gouernesses, of any such Monasteries, or other Ecclesiasticall houses,

les, any Monasteries, Priories, Colleges, Hospitals, manors, lands, or other hereditaments, shall haue and enjoy the same, according to such writings and assurances as bene therof before the first day of this Parliament, or hereafter shall bee had or made. Sauing to euery person and persons and bodiees politique, their heires and successours (other then the said late Abbots, Abbesses, and the successours of euery of them, and such as pretend to be founders, patrons, or donors, of the said Monasteries, or any of them, or of any manors, mesuages, or other hereditaments, late belonging to any of them, and the heires and successours of euery such founder, patron, or donor, (all such right, title, interest, possessions, rents &c. and other profits, which any of them haue, ought, or mought haue had, in or to any the sayd monasteries, or other hereditaments, at any time before any such purchase, indentures, fines, feoffements, recoveries &c. 31. H. 8. 13.

Other mens
right saued.

14 CAn. 37. H. 8. 4. It is enacted, that all Colleges, Freechappels, Chauntries, Hospitals, Fraternities, Brotherheades, Guildes, and stipendarie Priestes, made to haue continuance for euer, and that ought to be contributory to the paiment of the first fruites & tenthes: And al the mansion houses, manors, landes, tenements, and other hereditaments, whatsoeuer they be appertaining, or that did appertain, or were appointed to any such colledge &c. or other the said promotions, or to any of them, or known or taken as parcell or member of any of them, and to the said Colleges &c. or to any of the vntied, which betweene the 4. of Februarie, An. 27. H. 8. and xv. Decembris 37. H. 8. by reason of any entrie, expulsion, bargaine, sale, feoffement, fine, recovery, lease, or other conueiance thereof had, or made, bee dissolved, relinquished or extincted (other then such of them as now be or were in possession of the king, or that beene graunted or assured by his licence, consent, or letters patents, or any other persons, or haue beene lawfully recovered by any person, by any former right, without fraud or couin, or by the kinges licence,) shall from henceforth be adiudged, and also be in the actuall and reall possession of the King, and of his heires and successours for euer, in as ample maner, as the said priests, Wardens, Masters, Ministers, Gouvernours, Rulers, or other Incumbents or any of them, or the Patrons, donors, or founders of any of them, at any time sithence the sayde fourth of Februarie. 27. H. 8. enjoyed or now enjoyeth the same, and as though all the sayd Colledges, chauntries, hospitals, freechappels, fraternities, brotherhoods, guildes, and other the said promotions, and the said manors, landes, tenementes, hereditamentes, and other the premisses and euerie of them, were in this acte particularly and certainly named by expresse words.

All Colledges,
chantries &c.
in the dispositi-
on of king H. 8.

words. 37. H. 8. 4.

All Colledges,
Chantries &c.
giving to king
Edward the 6
4. November.
An. Do. 1547.

Finding of a
Priest to con-
tinue for ever.

15 **A**ll Colledges, Freechappels, and Chauntries, hauing be-
ing, or in Esse, within five peeres next before the first day of this par-
liament (being the fourth of Nouember, Anno Dom. 1547. which
were not in actuall and reall possession of the late king H. 8. nor of
king that now is (vz. E. 6.) nor excepted in the sayde former act of 37.
H. 8. other then such as by the kinges commissions shalbe transported
or chaunged, and all mannozs, landes, and other hereditamentes, be-
longing to any of them. And also all manozs, lands, and other heredi-
taments by any maner of assurance, will, deuise, or otherwise suffered,
knowledges, giuen or appoynted to the finding of any Priest to haue
continuance for ever, and wherewith any Priest was maintained or
founded within five peeres next before the first day of this Parliament,
which were not in the actual and reall possession of the said late king,
nor of the king that now is. And also all annuall rentes and profites
at any time within five peres next before the beginning of this Par-
liament, imployed towarde, or for the maintenance of any stipendarie
Priest, intended by any acte or wryting to haue continuance for e-
uer, shall immediately after the feast of Easter next comming (being
1. Aprilis, Anno Do. 1548.) bee adiudged and also bee in the very ac-
tuall and reall possession and seisin of the King, his heires and succes-
sors for ever, without any office or other inquisitiō therof to be found,
and in as ample maner as the Priestes, wardens, Masters, ministers,
Gouernozs, Rulers, and other incumbents of any of them, at any time
within five peeres next before the beginning of this Parliament, in-
ioyned or now inioyeth the same, and as though all the sayde Colled-
ges &c. and the saide landes, tenementes, hereditamentes, and other
the premisses and euery of them, were in this act particularly re-
hearsed by expresse names: But this act shall not extende to any lande
appoynted for the finding of anie Chauntie, or stipendarie priest,
which by any former and good title, were lawfully recovered from
any such Priest, before 1. October. 37. Hen. 8. which landes were
not chargeable to the payment of the perpetuall tenth. 1. Edw.
6. 14.

Landes recou-
red from a
priest or Cha-
ntie.

Finding of a
priest for cer-
taine peres.

16 **W**here any landes, tithes, pecunions, porcions, rentes, pro-
fites, or other hereditamentes, by any assurance, will, deuise, or other
wise, at any time heretofore made, were giuen or appoynted for the
maintenance or finding of one priest or of diuers priestes, for terme
of certaine peeres yet continuing, and that any priest hath bene main-
tained or founded with the same, or with the profites thereof, within v.
peres last past: The king from the said feast of Easter next comming
shall

shall haue in euery behalfe, during all such time to come, euerie such things, tenements, hereditaments, & profits, as the priest or priestes ought or should haue had, for, or towarde his or their maintenance, & for no longer time, nor for any other profit thereof to bee taken. And as soone as the time assigned for the maintenance of y^e priest or priestes shalbe expired: Then it shalbe lawfull to euery person to whome any manors, lands, and other hereditaments, should haue belonged (if the said former act and this act had neuer bene made) to enter into, & inioy the same, without any Luerie, Ouster le maine, Peticion, or other suit to be made to the king, in like maner to all intents, as though the sayd former act and this act had neuer bene made, and as though the king had neuer had any seisin or possession thereof. And the king shall haue all such goods, cattels, Tuels, Plate, ornaments, & other mouables, as were or be the common goods for euery such Colledge, Chauntrie, free Chappel, or stipendarie Priest, belonging to the furniture of seruice, the propertie whereof was not changed before the 8. day of Decemb. An. Do. 1547. And al such debts as should be paid of the goods of any of the said Colledges &c. due by any contract, specialtie, or promise, made before the said 8. day, shalbe paid by the Treasurer of the Court of Augmentations. 1. Ed. 6. 14.

The goods of
Chauntries,
free chappels,
&c.

The debts of
Chauntries,
free chappels.

Ministeries
obits, lampes,
lightes.

No recovery
for default of
obites, lampes,
lightes.

Part of the is-
sues of landes
giuen to the
finding of os-
bites &c.

17 **T**he King, his heires and successours, from the saide feast of Easter, shall haue and enioy for euer, al landes, tenementes, rents, and other hereditaments, which by any maner of assuraunce, will, deuise, or otherwise, at any time heretofore made, were giuen or appointed to goe, or to bee imploied wholy to the finding or main-tenaunce of any anniuersarie, or obite, or other like thing, or of any light or lampe in any Church or Chappell, to haue continuaunce for euer, which hath bene kept or mainteined within five yeeres next before the first day of this Parliament. But it shall not be lawfull to any person, bodie politike or corporate, by reason of any remainder, vse, or condition, to enter into, or challenge any landes, tenementes, or hereditaments, for the not doing, not naming, or not finding of any priest or priestes, or poore folkes, obyte, anniuersarie, light, or lampe, to bee founded or done. 1. Ed. 6. 14.

18 **W**here but one part of the reuenues of any landes, or other hereditaments, hath by any of the wayes abouesaide, bene appoynted to be bestowed to the maintenance of any anniuersarie, or obite, or other like thing, or of any light or lampe in any Church or Chappell, and to haue continuance for euer: Then the King shall from the sayd feast of Easter for euer, haue and enioy euery such summes of money, that in any one yeere, within v. yeeres next before the first

Monasteries &c.

first day of this Parliament, hath bene bestowed about the maintenance of any such anniuersarie or obite, or other like thing, or of any light or lampe, to him his heires and successours for euer, as a rent charge to be payed yerely at the feast of Saint Michaell the Archangel, and the Annunciation of our Lady, by euen porcions. And it shal bee lawfull to the king, his heires and successours, for non payment of any such summe of money, to distreine in the said landes & tenements of the issues and reuenues, whereof the saide anniuersarie or obite, or other like thing, or any such light or lampe was maintained. And for lacke of sufficient distress therein, by the space of one moneth next after that any of the said rents should be paid, & be not payed within the sayde moneth: Then it shalbe lawfull to the king his heires & successours to enter into, & possesse as much of the landes &c. whereof the said rent should be paid, as the rent that should be payde out of y^e same shal come to in yerely value, and the same &c. to holde and keepe for euer, or for such estate as the king his heires and successours, had, or ought to haue had in the said rent. 1. Ed. 6. 14.

Money giuen
to the finding
of a priest, or
bpre, light,
lampe, by a
Corporation.

19 ¶ The King, his heires and successours, shall from the sayde feast of Easter, haue and enioy, al such summes of money, profits and commodities, which by vertue of any conueyance, composition, will, deuise, or otherwise, heretofore haue bene giuen or appointed to haue continuance for euer, which in any one yeere, within five yerres next before the beginning of this Parliament, haue bene bestowed by any Corporation, gylde, fraternities, companies, or fellowships of misteries, or any of them, or by the Masters, wardens, Gouernours, or other Officers, or by the Master &c. of any of them, about the maintenance of any Priest, anniuersarie, obyte, lampe or light, or other like thing to be payde yerely, as a rent charge at the feastes of Saint Michael, and the Annunciation of our Lady by euen porcions. And it shalbe lawfull to the king, his heires and successours for non payment of any such summe of money, profite, or commodity, to distraine in all manors, lands, and tenements, of euery such craftes, corporations &c. or any of them, by whom, or by the wardens, masters &c. of the which, any such summe of money, profite, or commodity haue bene payde or employed. And euery of the said summes of money, profits and commodities, shall from the saide feast of Easter, without any inquisition or office to be found, be iudged to be in the actuall and reall possession of the king &c. 1. Ed. 6. 14.

Fraternities,
brotherhoods,
guildes, giuen
to the king.

20 ¶ The king shall from the sayd feast of Easter, haue & enioy to him, his heires and successours for euer, all fraternities, brotherhoodes, & guildes, being within any of his dominions, and al manors, landes,

lands, tenements, and other hereditaments, belonging to any of them, other then such corporations, guildes, fraternities, companies, and fellowships of misteries or crafts, and the manors, lands, tenements, or other hereditaments pertaining to them aboue mencioned. And the same shalbe iudged in the actuall & real possession of the king, his heires and successors, from the said feast of Easter for ever, without any inquisition or office thereof to be found. 1. Ed. 6. 14.

21 **C** This acte shall not extende to any Colledge, Hostell, or Hall, beeing within either of the vniuersities of Cambridge and Oxford, nor to any Chauntry founded in any of y Colledges, Hostelles, or Halles, being in the same Vniuersities, nor to the freechappel of Saint George, situat in the Castel of Windsor, nor to Saint Marie Colledge of Winchester, besides Winchester, of the foundation of Bishop Wickham, nor to the Colledge of Eaton, nor to the chappell in the Sea in Newton, within the Isle of Elye, in the countie of Cambridge, nor to any manors, landes, tenements, or hereditaments, to any of them belonging. Nor to any Chappell ordeyned for the ease of the people, dwelling distant from the parish Church, or such like Chappell, whereunto no more landes or tenements, then the Churchyarde, or a litle house, or close doth belong. Nor to any Cathedral Church or Colledge, where a Bishops See is, within England, or in Wales, nor to the landes, tenements, or other hereditaments, of any of them, other then to such chauntries, obytes, lightes, and lampes, or any of them, as at any time within fve yeres, next before the beginning of this Parliament, haue bene had, vsed or maintayned, within any of the sayd Cathedral Churches, or the issues, reuenues, or profits, of any of the said Cathedral churches, to which chauntries, obites, lightes, and lampes, this acte shall extende. And the king at any time (during his life) may alter the names of all chauntries, and the foundations of the same, beeing in any of the Colledges, hostelles, or halles, of any of the sayd Vniuersities. And also may giue authority to certaine Comissioners, to alter the nature and condition of all obites, aswell within the Vniuersities of Oxforde and Cambridge, as in any other place within England and Wales, being not suppressed ne annihilated by vertue of this acte, and the same obites so altered, to dispose to a better vse, as to the reliefe of poore Students, or otherwise. Neither shall this act be preiudiciall to the generall corporation of any Citie, Borough, or towne, within any the kings dominions. Ne shall extende to any the landes, or hereditaments of any of them. Neither shall this acte preiudice the Lorde Cobham &c. concerning the late Colledge of

Colledges and chauntries within the vniuersities. Windsor colledge. Winchester colledge. Eaton colledge Chappell in the Sea.

Chappell of ease.

Cathedral church or colledge.

Corporations of Cities, Boroughs &c.

Cobham.
Attiborough.

Cobham in Kent, or the lands thereof. Neither shall it extend to the Chauntrie or Colledge of Attiborough in Norfolk, which king H. 8. gaue to the Earle of Suffex & his heires. 1. Ed. 6. 14.

**Lands wherof
the gouernours
were seiled to
their own vles**

22 ¶ This act shall not extend to any landes, or other hereditaments, which the sayde Masters, Wardens, Ministers, Chauntrie priestes, incumbentes, or other the sayd Gouernours or officers of the premisses, haue in fee simple, fee taile generall, or speciall, for terme of life, terme of yerres, or otherwise to their owne proper vles, by inheritance, or purchase, and not being at any time annexed to their sayde Colledges, free chappelles, chauntries, or other the premisses. Nor shall extend to any manors, lands, tenements, possessions, rents, annuities, & yerely pensions, or to any yerely summes of money, being not parcell of any of the sayd Colledges, & other the premisses heretofore giuen by y^e saide late King, or giuen or hereafter to be giuen by the king our Soueraigne Lord (viz. Ed. 6.) to any of y^e said Deanes, Masters, Wardens, Ministers, Chauntrie priestes, Incumbents, Gouernours, or Rulers of the premisses, for terme of life onely, vnder his great seale or other seale. 1. Ed. 6. 14.

**Portions, rēts,
summes of
money giuen
by the king.**

**Copp hold
lands.**

23 ¶ Neither shall this act extend to any landes, or other hereditaments that any Master, Deane, Prebendarie, Warden, or chātrie, or any stipendarie Priest of any Colledge, or other corporations haue or held of any person, by coppie of Court Rolle, or at wil, according to y^e custome of any manor, nor giue any coppinghold lands to the king, but euery of the said persons shall enioy the same during their liues, towards their pension & yerely liuing, paying their rents and doing their customes & seruices thereof due. 1. Ed. 6. 14.

**Other mens
rights laued.**

24 ¶ Sauing to all persons, bodieys politique and corporate, their heires and successours (other then the Masters, Wardens, Ministers, Gouernours, Rulers, Priestes, Incumbents, Fellowes, and Brethren of the sayde Colledges, Chauntries, free Chappelles, and other the premisses, giuen to the king by thys acte, and the successours of euery of them, and other then such as be, or pretende to be founders, patrons, or donors, of the premisses, or any of them, and the heires, successours, and assignes of euery of them, and other then such as be or were feoffees, recouerees, conisees, grauntees, or deupsees, of any of the premisses, to, or for any of the vles aboue mencioned, or to the vse of any of the sayd colledges, free chappelles, chauntries, or other the premisses, giuen by this act to the king, or to the intent to employ the rentes or profites thereof, to the vse of the masters, rulers, incumbents, or ministers of any of them, & other then such as pretend to haue estate, right, title, interest, vse, possession, or condition, of, in, or to the

to the premisses or any parcell thereof, by reason of any fessement, fine, bargain, and sale, or by any other meanes, or conuycance to the made of any estate of inheritance, without the sayd late kings licence, or agreement, and without the lycence or agreement of the kings maiestie that now is, by any of the said deanes, masters, wardens, gouernours, rulers, priestes, or incumbentes, or by the founders, donors, or patrons of any of them) all such right, title, claime, possession, interestes, rentes, annuities, commodities, commons, offices, fees, leases, liueries, liuings, pencions, portions, debtes, dueties, and other profits, which they or any of them lawfully haue, or of right ought to haue, or might haue had in any of the premisses, or in any parcell thereof, in such like maner to all intents, as if this act had neuer bene made, and as though the sayd chauntries, colledges, and other the sayd promotions, had still remayned in their full being. And sauing to euery patron, donour, founder, or gouernour of any such colledge, chauntrie, free chappell, stipendarie priestes, and other the premisses, giuen to the king by this act, and the donour, feoffor, and giuer of the foresayde landes, tenements, hereditaments to them, or any of them, or to any vles or purposes before mencioned, all such rents seruices, rents seck, rentes charge, fees, annuities, profits, and offices, and also leases for terme of liues and peeres, whereupon the accustomed rent or more is reserued, as they or any of them lawfully had and entoyed of any the sayd promotions, or out of any the sayd landes, tenements, or hereditaments, before the first day of this parliament. 1. Ed. 6. 14.

25 ¶ As well euery patron, donor, founder, and giuer of any of the said promotions or premisses, or giuer, donor, or feoffor of any their lands, or other hereditaments, as euery person which before the making of this act lawfully had any rent or other perely profits of any chauntries, colledges, free chappelles, or other the premisses, or out of any lands, or other possessions of any of them, shall enioy the same in like maner, as they ought to haue done, if the said colledges &c. and other the premisses, had still continued in Esse. 1. Ed. 6. 14.

All rents reserved.

26 ¶ If any of the sayde masters, wardens, ministers, rulers, gouernours, priestes, incumbentes, or owners of any such colledge, chauntrie, free chappell, or of any the premisses giuen to the king by this act, sithen 23. Nouemb. in 37. H. 8. haue made any lease vnder their commō seale, or otherwise for terme of yerres, lyfe, or lyues, of their sayd colledges, chauntries, free chappelles, or of other the premisses, or of any landes or hereditaments to any of them annexed or appertaining, vpon the which leases the vsuall and olde rents and

Leases not reseruing the olde rent.

Monasteries &c.

seruices accustomed to be peelded and reserued, or moze, by the space of twentie yerres next before the said 23. day of Nouember, be not reserued and yelden, the same shalbe utterly voyde. And all other leases and graunts heretofore made, of any the premisses giuen to the king by this act, shalbe as good and effectuell in the law to all intents, as if this act had neuer bene made, this act or any other act &c. notwithstanding. 1 Ed. 6. 14.

All other leases good.

27 **C** All such tenthes, seruices, issues, profits, and other summes of money payable out of, or for the premisses in the Eschequer shall continue and be yerely payed in the same court, in the same maner, as heretofore hath bene vsed, any lawe, custome, vnitie of possession in the king, or other thing &c. notwithstanding, and as though the saide promotions, lands, and other the premisses, had not come to the kings hands. 1. Ed. 6. 14.

Assurances made by the king, or by his licence.

28 **C** All letters patents made by king H. 8. or by the kyng that nowe is, or hereafter to bee made by his highnesse to any person, or to any Archbischoppe or Byschoppe, of any of the saide Colledges, Chauntries, Free chappelles, or other the premisses, or any parcell of them, or of any landes, tenementes, or hereditaments, belonging, or that did belong to any of them, and all fines, gistes, grauntes, feoffementes, recoueries, and all other assurances thereof made, by the consent or lycence (vnder the great Seale of England) of the saide late king H. 8. or of the king that nowe is, to any person, body politique or corporate, by any chauntrie priest, master, warden, minister, ruler, and gouernour, or other, hauing any of y^e sayd promotions of any of the sayd colledges, chauntries, free chappelles, or other the premisses, or of any part of the same, shall stand in their forces, and shall bee good and effectuell in the lawe for such estates and interestes, giuen or appointed in any of the gistes or conueyances thereof made, according to their purportes, fourme, and matter, and according to the true meaning of the same assurances, and shall be good and auaylable aswell against the king, his heires and successours, as agaynst the sayd Chauntrie priestes, wardens, Masters, rulers, gouernours, and other hauing any of the sayde promotions, and their successours, as also against the founders, donors, and patrons of the same, and the ordinary of them, and their heires and successours of euery of them, any lawe, statute &c. notwithstanding. 1. Ed. 6. 14.

Confirmation of all graunts made to the king.

29 **C** All gistes and grauntes heretofore made, to the sayde king H. 8. and to his heires, or to the king that nowe is, and to his heires, by any Archbischop, Bishop, Deane, Archdeacon, Treasurer, Prebendarie, Master, Prouost, Gouernour, or other spirituall person, or by

by any patron, donor, or founder, of any of the said Chauntries, Chauntries, or other of the said spirituall promotions, or of all or any of the manors, lands, or other hereditaments, or commodities, to any of the said benefices, offices, prebendes, or dignities belonging or annexed, or which any of the sayd Archbishops, Bishoppes, Deanes, Archdeacons, Treasurers, Masters, Priouostes, Prebendaries, Rulers, Gouernors, or Ministers, Patrons, Founders, or donors, had, haue, or ought to haue in their right, or by reason of any of the same offices or dignities, shalbe good and effectual in the law to all intents, Sauing to euery person &c. (other then the Archbishops, Bishops, Deanes, Archdeacons, Treasurers, Prebendaries, Rulers, Gouernors, Wardens, Priouostes, Siuers, and graunters of any of the premisses, and their heires, successors, and assignes. And other then such Ecclesiasticall persons, bodies politique or corporate, as are, or pretende to be founders, donors, patrons, or ordinaries of the premisses) all such rightes, titles, profits, landes, tenements, and hereditaments, as any of them haue, or ought to haue had, in, or to any of the premisses next aboue mentioned, as if this act had not bene made. But this act shall not extend to make good any gift, graunt, sale, or alienation, made by any Parson, or Vicar, of their parsonages, or vicarages, or of any parcell thereof, or of any thing to any of them belonging. 1. Ed. 6. 14.

Other mens
rights saued.

Parson, Vicar.

30 **C** All grauntes, licences, confirmations, and letters Patentees, which king H. 8. or the king that now is, haue made vnder the great seale of England, to any person or persons, or bodies politike or corporate, of any Colledge, Chappell, or Chauntrie now being in Esse or not, or of any lands, tenements, and hereditaments appertaining to any of them, or of any other thing expressed in this acte: And euery matter and thing contained in any such graunt, licence, confirmation, or letters patentees, shalbe iudged good and effectual in the lawe, according to the wordes, sentences, meaninges, forme, and effects of the same graunts &c. to all intentes, as if this act, and the sayd acte made (37. H. 8.) had neuer bene made. And this act, and the saide act made 37. H. 8. or any article, sentence, or other thing therein contained, shall not extend to any Colledges, Chappels, Chauntries, or other thinges mencioned in this act, now being in Esse, or not, or to any landes, tenements, or hereditaments, appertaining to any of them, or to any other thing expressed in this act, which any person, bodie politique or corporate, haue obtained by the assent, licence, confirmation, graunt, or letters patentees of the said late king, or of the king that now is: Nor shall extend to any landes, tenements,

A confirmati
on of letters
patents made
by king H. 8.
and king Ed.
6.

This exten
deth not to
lands gramin
ted by the king

hereditaments, or other things contayned in any such letters patents &c. but euery such person &c. shal haue and enioy the same Colledges &c. landes &c. and euery other thing whatsoeuer so by them obteyned, according to the wordes and intent of the same lycences, confirmati-
ons, graunts, and letters patents. This act or the sayd acte made 37.
H. 8. or any clause or thing contayned in any of the same actes &c. not-
withstanding. 1. Ed. 6. 14.

20 confirmati-
on of al Abbeyes,
chauntries &c.
landes to the
Queene and
other persons.

31 Aswell the Ducenes Maiestie her heires and successours,
as also all and euery other person and persons, bodie politique and
corporate, their heires, successors, and assignes, nowe hauing, or that
hereafter shall haue any of the Scites of the late monasteries, or o-
ther religious or ecclesiasticall houses or places, and the Manours,
Graunges, Measuages, landes, tenements, tythes &c. and other
possessions and hereditaments of the sayde late Monasteries, Ab-
beys, Priories, Nunneries, Commaundries, Deanries, Colled-
ges, Prebendes, Hospitales, houses of fryers, Rectories, Vicarages,
Chantries, Churches, Chappels, Archbishopsricks, Bishopsricks,
and other religious and ecclesiasticall houses, or late belonging or
appointed to and for the finding of Priestes, obites, lightes, or other
like purpose, or any of them which came to the handes of the late king
H. 8. by dissolution, gift, graunt, surrender, attaynder or otherwise, or
to the handes of king Ed. the 6. by vertue of the foresayde act made
1. Ed. 6. or otherwise, or to the handes and possessions of other per-
sons &c. by sundry meanes and assuraunces, shall haue, keepe and en-
ioy all and euery the sayde Scites, landes, tenements, and other here-
ditaments, according to such estates as euery of them nowe haue, or
hereafter shall haue in the same by the due course of the lawes and sta-
tutes of this realme, now in force. And euery article, clause, sen-
tence, and prouiso, conteyned in any act or actes of Parliament, con-
cerning the assurance of the sayde Monasteries, Priories, Colledges,
Chantries &c. and other religious and ecclesiasticall houses and pla-
ces, or in any wise concerning any manors, landes &c. or other things
before specified to the sayde king Henry the eyght, or king Edward
the sixt, or any other person or persons, or body politique or corporate,
and euery writing, deede, and instrument, concerning the assurance
of any of the same, shall remayne in force, and bee pleaded, and taken
aduantage of, to all intentes, as the same might or coulde haue bene
by the lawes and statutes of thys Realme. And all feoffementes,
synes, surrenders, forfaytures, conueyances, and interestes in any
wise conueyed or made to king Henry the eyght, or to king Ed. 6. or
either of them, or to any other person, body politique, or corporate by
deede,

deede, or acte of parliament or otherwise, of any the scites, manors, landes &c. or hereditaments of any of the sayd Archbishops, Bishops, Monasteries, Priories &c. or of any manors, landes &c. or any other hereditaments of, by, or from any ecclesiasticall person or persons, or by or from any spirituall or ecclesiasticall corporation, or body politique, shall be good and available in the lawe to all intents, and shalbe pleaded and taken aduantage of. And euery clause and article of Sauing conteyned in euery of the sayde statutes shall remayne in such force and effect, as they were before the first day of the parliament holden 1. and 2. P. & M. any thing conteyned in the act then made, repealing all statutes, articles and prouisoers made against the Sea of Rome since the xx. yere of king Henry the eyght, in any wise notwithstanding. And whosoever shall, by proces obteyned out of any ecclesiasticall court within this realme, or without, or by pretence of any spirituall iurisdiction, or otherwise, contrary to the lawes of this realme, molest any person or body politike, for any of the lands, tenements, hereditaments, or other thinges aboue specified, contrary to the wordes, sentence, and meaning of this act, shal incurre the danger of the act of Præmunire, made. 16. R. 2. and shal suffer & incurre the forfeitures, and paines conteined in the same. 1. & 2. P. & M. 8. 1. Cl. 1.

1 ¶ That religious persons professed, were inabled to inherite, purchase, sue, & to be sued. S. Abilitie. 3.

2 That those Abbey lands, which were discharged of tithes, shall so remaine. S. Tythes. 42.

3 That all religious houses shalbe within the visitation of the ordinary within whose dioces they are situate. S. Ordinarie. 3.

4 For the tenthes reserued vpon Abbey lands, & the remedie for recouery of them. S. Tenthes.

5 For tenures reserued vpon Abbey landes. S. Tenures. 4. 5.

¶ Money.

Whosoever doth exchange any coigned Golde, coigned siluer, or money giuing, paying, or receiuing any more in value, benefit, or aduantage for it, then the same is or shal bee declared, by the Queenes proclamation to be currant for within this realme, or other her graces dominions, shall forfe. the same golde, siluer, and money, to the Q. & J. to be rec. by A. J. &c. wherein no W. C. P. &c. and suffer imprisonment by the space of a yere, and also make fine at y^e Queenes pleasure. S. Ed. 6. 19. 25. Ed. 3. 12.

Giuing or receiuing for money more then it is currant.

Payeing of
money to a
merchant
m.

2 ¶ If any person inhabiting within this Realme, doth paye or wittingly deliuer by way of exchange, or otherwise, or any merchant or other person borne out of the Obeisance, for any merchandize, wares, or in any other wise any peeces of golde coynd in this realme or any other realme, or any plate, vessels, masse, bullion, or Jewel of gold wrought or unwrought, he shall forfeit the double summe or value of all such money, golde, plate, &c. to the Q. & J. that will seise or sue for the same, by A. B. &c. after the Custome of the Citie, port, or towne where it shall happen any forfeiture to fall, or by information in the Eschequer, wherein no P. E. &c. 4. H. 7. 23.

Transporting
of Gold, or
Silver.

3 ¶ Whosoever doth send or carrie out of the realme of England, any golde, or silver in money, bullion, plate, or vessel without the Queenes licence, saving for his reasonable expences 2. H. 4. 5. shall forfeit the value of the same so carried forth 9. Ed. 3. 1. 5. R. 2. 2. except ransomes for fines of English prisoners taken beyond the sea, and the money that souldiers shall carrie with them for their reasonable costs, and money for horses, oxen, sheepe, & other things bought in Scotland, to be brought and caried to the parties adioynning. So that the money to be sent for the fines of the sayde prisoners, or to be carried by the souldiers, be not done without the Queenes licence. 2. H. 6. 6. And he which is upon his passage, in any ship or vessel for to go out of any port, haven, or creeke, shall immediatly confesse and declare after warning to him given by the Queenes Searchour, what gold or silver in coine or masse he hath with him for his expences, or els that money so concealed shalbe also forfeit to the Queene. 2. H. 4. 5.

Money caried
into Ireland.

4 ¶ No person shal carrie nor conuey, nor cause to be carried out of this realme any bullion, plate or coine of golde or silver into Ireland, above the summe of vi. s. viii. d. nor conuey any such Bullion, plate or coine into any ship, boate, or other vessels, upon paine of forfeiture of the said bullion, plate, or coine, and of imprisonment, and fine at the Queenes pleasure. 19. H. 7. 5.

Irish money
brought into
England.

5 ¶ No person shall bring or conuey, nor cause to be brought any coine of Golde or silver, above the summe of iii. s. iiii. d. of the coine of Ireland into this Realme, upon paine to forfeite all the same coine above iii. s. fower pence, and to haue imprisonment and make fine at the Queenes pleasure. And it is lawful to any of the Queenes subjects, to seise the Irish money brought into this realme, and to bring it to the Queenes mint, and there he shall haue the value of halfe such money deliuered to him, to his owne vse, by the master of the mint. 19. H. 7. 5.

Refusing small
money.

6 ¶ Whosoever in buying and selling, will presume to refuse a halfe

halfe peny, or a farthing, being of lawfull metall, and hauing y^e fourme and fashon which it ought to haue, shall be taken as a contemnor of the Queenes Maiestie, shall be thrust in prison, and set vpon the Pillorie. 12.H.3.

1 For the Forging, clipping, washing, scaling, or bringing in of any forged money. S. Treason. 1. 2. 3. 4. 5.

¶ Mortdauncester.

If a man doe die and haue diuers heires, whereof one is sonne or daughter, brother or sister, Nephew or Niece, & the other be further in degree, all the heires shal haue their recouerie by writ of Mortdauncester. Gloucester. 6. Ed. 1. 6.

1 ¶ Where dammages shall be recouered in Mortdauncester, S. Dammages. 12.

2 Mortdauncester for the heire being wrongfully kept or put out of his inheritance by his chiefe Lord. S. Wardes, 9.

¶ Mortmaine.

If any religious person, or other whatsoever, will buy or sell, any lands or tenements, or wil receiue the same by colour of any gift or lease, or by reason of any other title whatsoever, or wil by other practise, or deuise, procure the same to him selfe, whereby such lands or tenements may come into mortmaine, he shal forfeit the same lands Mag. char. 9. H. 3. 39. 7. Ed. 1. And if any religious, or other spirituall person doth take the profits of any lands, tenements, fees, aduowsons, or of any maner of possessions, whereof any other is seised by feffement, or any other way to his vse, to y^e intent to amortice the same, he shal forfeit the same according to the forme of the foresayd statute. 15. R. 2. 5.

lands purchased in mortmaine.

Assurance of lands to uses in mortmaine.

2 ¶ It is lawfull for the Queene, or any other chiefe lord of y^e fee immediate, to enter into the land so aliened, within a yere after the alienation, and to holde it in fee as his owne inheritance. And if the chiefe Lord be negligent, and wil not enter into his fee within y^e yere, then it is lawfull to the next immediate Lord of the same fee, to enter vpon the same fee within halfe a yere then next following, & to hold it as aforesaid, And so euery chiefe Lord immediate may enter vpon the same, if y^e next immediat lord be slacke in so doing. And if al the chiefe Lords of such fees being of full age, within the foure Seas, and out of prison, be negligent, or slacke in their entrie, by the space of a yere & a halfe, the Q. Maiestie may take the same lands, or tenements into her hands immediatly after the yeres end y^e such purchases, giftes, or appropriations shalbe made, & shal enfeffe some other therein, by certaine seruices

The chiefe lord enter vpon a lienation in mortmaine.

The Queenes entrie.

seruices done to her for the defence of the realme, saving to the chiefe lords of the fees their wardes, eschetes, and other seruices, thereunto due and accustomed. 7. Ed. 1.

lands imploied to a church
part or given
to a Guild.

3 **I**f any religious person, vicar, or other spirituall parson, doe enter into any lands or tenements which be adioyning to his Church, and of the same landes, by sufferance and assent of the tenants, doeth make a Churchyarde and buriall place for his parish, without the license of the Queene and the chiefe Lord of the fee, it is mortmaine, & he is within the compasse of y^e foresayd statute. And so is it of al lands, tenements, and other possessions, purchased to the vse of any Guildes or fraternities. 15. R. 2. 5.

lands purchased to the
vse of a Corporation.

4 **I**f any Mayor, Bailife, and Commons of any citie, borough, or towne which hath a perpetuall comminalltie, or other which hath an office perpetuall, doe purchase to them and their commons, or to them and their office, or if any other doe purchase to their vse, and they thereof take the profits, it is mortmaine, and they are within the danger of the foresayd statute of 7. Ed. 1. 15. R. 2. 5.

Mortmaine
upon recovery
by default.

5 **I**f a religious or ecclesiasticall person doe implead any other, and the partie impleaded maketh default wherby he ought to lose the land, it shalbe enquired by the countrie, whether the demaundant had right in the thing he demaunded or no, and if it be founde that the demaundant hath right, iudgement shall passe with him, and he shall recover seisin. And if he hath no right, the land shal accrue to y^e next lord of the fee, if he demand it within a yere after the enquest taken. And if he doeth not demand it within a yere, it shal accrue to the next lord aboue, if he demand it within halfe a yere, after the same yere. And so euery lord after y^e next lord immediate, shall haue halfe a yere to demand it successiuelly, vntill it come to the Queene, to whom through the default of other lords, the land shall accrue. And after iudgement giuen, the land shall remayne in the Queenes hand, vntill it be derayned by the demaundant, or some other chiefe Lord. And euery chiefe Lord of the fee shalbe admitted to chalenge the Iurores of the enquest, and euery one that will, may chalenge them for the Queene. West. 2. 13. Ed. 1. 31.

Challenge.

Assurance of
lands to churches,
&c.

6 **A**ll Feoffements, fines, recoveries, willes, and other estates, and assurances, deuised, couenanted, ordeyned, or in any wise made of trust, of any manors, lands, tenements, or hereditaments to the vse of any parish churches, chappels, churchwardens, guildes, fraternities, or brotherhoods, erected or made of deuotion, or by common assent of the people without any corporation, or to the vles and intents to haue obites perpetuall, or a continuall seruice of a priest for euer, or for iii.
score

score or iiii. score yerres founde of the profits of the same landes &c. or that the feoffees, conisees, recoueries, or other persons, & their heires thereof seised shal take, leuie or perceiue, or cause or suffer to be taken, leuied, or perceiued the issues and profits thereof, and the same to dispose or otherwise imploy, or suffer or cause to be paid, disposed or imployed to any of the foresayd vles, or to any of the like vles: shall bee vtterly voyde. 23. H. 8. 10.

7 ¶ But it is lawful to euery person, being seised of any manors, lands, tenements, or hereditaments, to his owne proper vse, or hauing feoffees, recoueries, or conisees, to his vse, to make, or daine, or deuise, or cause to be made &c. any of the vles, intentes, or purposes aboue specified, in such maner as they might haue done befoze the making of this act, so that no such vles &c. bee made or appoynted to endure by any craft, wordes, or other meanes, aboue the tearme of twentie yerres next after the first making and beginning of any such vles &c. 23. H. 8. 10.

Assurance of
lands to chur-
ches &c. for xx.
yerres.

8 ¶ If any person in defraude of this Statute, doeth binde or ordeyne any of his heires or successours, or any other persons that they shall suffer such vles, intentes or purposes, to continue contrarie to this statute, vpon payne of losse of any other landes, or of any other thing, or doe deuise by any colour, craft, or meanes, any thing to make such vles declared contrary to the meaning of this act, to continue for any longer time then is aboue limited for the same: Then euery such penaltie, craft, colour, and euery other thing that is made or deuised in defraude of this act, shall be vtterly voyde, for this Statute shall be interpreted as beneficially as may be, to the destruction and vtter auoyding of the vles aboue remembred, and of al other like. 23. H. 8. 10.

Collaterall as-
surances in
defrauding of
this statute.

9 ¶ But this act is not preiudiciall to the custome of any citie or town corporate, where by their auncient customes they haue authoritie to deuise their landes &c. within the same Cities or townes into Mortmaine. Neyther shall it be preiudiciall to the deuises made by the executors of the wils of Robert Tannis, and John Terrie of the citie of Norwiche &c. 23. H. 8. 10.

Customes in
Cities to be
wise in Mort-
maine.

10 ¶ But notwithstanding any of the foresayd statutes, or any other statute, lawe, or custome, it is lawfull for euery person, which is seised of any manors, landes, tenements, or other hereditamentes, in fee simple, in possession, reuerlion, or remainder holden in free socage of the Queene, or any other person or body politique in his own right, and to his owne vse, for & during the space of xx. yerres (to be accounted fro the 8. of Febr. An. Do. 1575) to make feoffemets, grants,

Lands giuen
for maintenance
of houses of correcti-
on, or of poore
peoples stocks

or any other assurances, or by his last will in writing to giue & bequeath in fee simple, all or any part of the sayd lands, tenements, or hereditaments, to any body politique or corporate, and their successors now erected, or hereafter to be erected, or to any other person & their heires, to and for the prouision, sustentation, or maintenance of any of y^e houses of correction, or abiding houses prouided for certaine offendours, or of any stockes or stores for poore people, without any licence of Mortmain therein to be obtained, or any writ of Ad quod dampnum, to be sued out for the same. But the rents and seruices due to the Q. and other chiefe Lords of the fee, going out of the same lands, shall be to them saued and reserued. 18. El. 3. 27. Eliz. 1. to continue til the ende of the next Parliament nowe next ensuing.

¶ Mortuaries.

But one mortuarie for any person, & that but in accustomed places.

NO Mortuarie, or Corse present, shalbe giuen or demaunded of any person, but only in such place, where heretofore Mortuaries haue bene vsed to be paide and giuen: Nor any person shall pay Mortuaries in more places then one, that is to say, in the place of his most dwelling, and habitation, and there but one Mortuarie. 21. H. 8. 6.

No mortuarie where y^e goods be vnder ten markes.

2 ¶ No Mortuarie shall be taken or demaunded of any person whatsoeuer hee be, which at the time of his death hath in moueable goods vnder the value of x. Markes. 21. H. 8. 6.

The dutie for al mortuaries.

3 ¶ No Parson, Vicar, Curate, or other spiritual person, nor any of their Farniers, Bailifes, or lessees, shal for any person dying or dead and being at the time of his death of the value in moueable goods of x. markes, or more, aboue his debts paid, & vnder the summe of xxx. li. take for a mortuarie aboue iii. s. iiii. d. in the whole. And for a person being at the time of his death of y^e value of xxx. li. aboue his debt paid in moueable goods, & vnder the value of xl. li. there shal no more be taken for a mortuarie then vi. s. viii. d. in the whole. And for a person ha- uing at the time of his death of y^e value in moueable goods of xl. li. or aboue, to any summe, aboue his debts payed, there shall no more be taken &c. for a mortuarie then x. s. in the whole. 21. H. 8. 6.

These shal pay no mortuaries

4 ¶ No Vicar, Parson, Curate, &c. or other, shall take, demaund, or aske, any mortuarie or other thing by way of mortuarie for any woman being couert Baron, nor for any childe, or any person not keeping house, nor also for any wayfaring man, or other that maketh not residence in the place where they shal happen to die. But the mortuarie of such wayfaring persons shall be answerable (in places where mortuaries be accustomed to be paid, and in maner, forme, & rate before mentioned, and none otherwise) in the places where such waifairing persons, at the time of their death, had their most habitation house,

house, and dwelling places, and no where els. 21. H. 8. 6.

5 ¶ No Mortuaries nor Corse presentes, nor any summe of money or other thing for them, shall bee demaunded or had in the parties of Wales, nor in the marches of the same, nor in the towne of Berwicke, nor marches of the same, but onely in such places where mortuaries haue bin accustomed to be payde, neyther shall any mortuaries nor corse present, nor any thing of them be demaunded or had in those places, but onely after the order, and manner aboue specified, and none otherwise, nor of any other person then is aboue limitted. But it is lawfull to the Bishoppes of Bangor, Landaffe, Saint Davids, and Saint Asse, and likewise to the Archdeacon of Chester, to take such mortuaries of the Priestes within their Diocesse, and Iurisdiccions, as heretofore haue bene accustomed. 21. H. 8. 6.

Mortuaries in Wales, Berwick, and the marches of them.

6 ¶ No person shalbe compelled in such places (where mortuaries haue beene accustomed to be taken, of lesse value then is aforesaid) to pay any other mortuaries, or more for any mortuary then hath bin accustomed, nor any mortuary shalbe demanded, taken or had, in such place, of any person or persons exempt by this act, nor contrary to this act. 21. H. 8. 6.

Mortuaries of lesse value by custome.

7 ¶ If any Parson, Vicar, Curate or other spirituall person, or their Farmors, Baylives, or Lessees, doe take, receiue, or demaunde of any person within this Realme, for any person dying within the same, any mortuary or corse present, or any summe of money or any other thing for the same, more then is before mentioned, or doe conuent, or call any person or persons before any Iudge spirituall for the recovery of any such mortuaries or Corse presents, or any other thing for the same more then is before mentioned, he shall forfeite for euery time so demaunding, receiuing, taking, conuenting, or calling &c. so much in value, as he shall take aboue the summe before limitted, and also p. l. s. to the party greeued, contrary to this act. to be couered by A. I. &c. wherein no W. &c. E. P. But it is lawfull for any spirituall person to take any summe of money, or other thing which by any person dying shalbe giuen or bequethed to him, or to the high altar of the Church. 21. H. 8. 6.

The forf. for demaunding more then his due tie.

A legacie giue to a spiritual person.

1 That where mortuaries be demanded in a spitual court, the Queenes prohibition doeth not lie. S. Prohibition, 1.

2 That fraudulent deedes to defeate other of their mortuaries be voyde. S. Fraudulent deedes, 1.

Escape of a
murderer.

If any person be murdered or slayne in the day, and the murderer escape vntaken, the towneship where the saide deede is done shalbe amerced for the sayd escape. 3.H.7.1.

Murderer arraigned at the
D. suit.

2. If any man be slaine or murdered, and the flears, murderers, abettors, maynteinors, and comforters of the same be indicted therefore, the same flears and murderers and al other accessaries of y^e same, shalbe arraigned and determined of the same felonie and murder at any time, at the D. suit, within the yere after the same felony and murder done, and not tarie the yere and day for any appeale to be taken for the same felonie or murder. 3.H.7.1.

Arraignment
of him, which
is acquit at
the D. suit.

3. If any person so named as principal or accessary, be acquitted of any such murder at the D. suit within the yere & day, then the Justices befoze whom he is acquitted, shall not suffer him to goe at large, but eyther shall remit him againe to prison, or els let him to bayle after their discretion, till the yere and day be passed. And if the same felons, murderers, and accessaries to any of them so arraigned, be acquitted, or the principall of the sayde felonie or any of them be attainted: The wife, or next heire to him so slaine as shal require, may take their appeale of the same death and murder, within the yere and day, after the same felonie and murder done, against the sayd persons so arraigned and acquitte, and al other their accessaries, or against the accessaries of the sayd principall, or any of them so attainted, or agaynst the sayd principals so attainted if they be then liuing, and the benefite of the Clergie thereof befoze not had. And the appellante shall haue such advantages, as if the sayd acquittal and attainder had not ben, the said acquittal or attainder notwithstanding. 3.H.7.1.

By whome,
within what
time, & befoze
whom appeal
of murder
shall be com-
menced.

4. The wife or heire of the person so slaine or murdered, as case shall require, may commence their appeale in proper person, at any time within the yere after the felonie done, befoze the Sherife and Coroners of the Countie where the sayd felony & murder was done, or befoze the Queene in her Bench, or Justices of gaole deliuerie. 3.H.7.1.

Poysoning.

5. All wilful killing by poysoning of any person, is wilful murder of malice p^repenced, and the offendours, their aydoers, abettors, procurors, and counsaillours shall suffer death, and forf, as in cases of wilfull murder of malice p^repenced. 1.Ed.6.12.

Misadventure.

6. It shall not be adiudged murder, where an act is done by misfortune, but murder shalbe intended of th^e which be feloniously slaine. Marleb. 52.H.3.26.

1. That appeale of murder may be commenced in one countie, of

of the death of any person stricken or poysoned in any other countie, S. Tryall, 1.

2 The declaration in appeale of murder, and within what time it shalbe sued, S. Appeale 2.

3 Where murder shall be tryed by speciall commission, S. Treason 9.

4 That the killing of the Chauncelour, Treasurer, or any Iudge &c. sitting in his place, is hie Treason, S. Treason, 1.

5 That it is not lawfull to slay any person attainted in Præmunire, S. Præmunire 6.

6 That the appellant in appeale of murder where battell lyeth not, may make an Attorney, S. Attorney, 5.

7 In what sort Coroners shall enquire of murder, and attache the offenders, S. Coroners, 2, 3, 4.

8 In what case Foresters may slay offenders, S. Forests 4.

¶ Newes.

Whosoever doeth contriue, speake, or tell any false or counterfeit newes, whereof discorde, or matter, or cause of discorde or slander may arise betweene the Q. and her noble men, or people. Or any false newes, lyes, or other such false things of Prelates, Dukes, Earles, Barons, and other nobles and Peeres of the realme, or of the Chauncelloz, Treasorer, Clarke of the priuie seale, Steward of the Q. house, Iustices of the one bench, or of the other, or of any great officer of the realme, whereof discorde or slander may rise within the realme, shalbe taken and imprisoned vntill he hath brought forth him which did speake the same. And when he is taken and imprisoned and cannot finde him which spake the wordes, then he shalbe punished by the aduise of the Counsell. *Al. 1. 3. Ed. 1. 34. 2. R. 2. 5. 12. R. 2. 11. 1. & 2. P. & P. 3. 1. El. 7. S. Iustices of peace 22.*

Newes to breed discorde betwixt the Q. & her subjects.

Newes of the Peeres or great officers of the Realme.

2 **W**hosoever shall by preaching, teaching, writing, or open speech notifie, that any eating of fish, or forbearing of flesh mencioned in the stat. for those cases prouided, is of any necessitie for the sauing of the soule of man, or that it is the seruice of God, otherwise then as other politike lawes be, shall be punished as spreaders of false newes are, and ought to be. *5. El. 5. 27. El. 11. to continue to the end of the next Parliament now next ensuing.*

Newes concerning eating of fish, or forbearing of flesh.

3 **I**f any person or persons, after the ende of fortie dayes next ensuing the ende of this present Session of Parliament, shall aduisedly, and with a malicious intent of his or their owne imagination, speake any false, sedicious, and slanderous newes, rumors, sayings,

Slanderous newes against her Maestie.

ings, or tales, against our most natural souereigne Lady the Queenes maiestie (that now is:) Then all and euery such person and persons so offending, being thereof lawfully conuicted or attainted, in forme hereafter in this present act expressed, shall for euery such first offence eyther be in some Market place within the shire, Citie, or Borough (where the sayd wordes were or shal be so spoken) set openly vpon the pillorie, by the sherife or his ministers, if it shall fortune to be without any Citie or towne corporat. And if it shall fortune to be within any Citie or towne corporat, then by the principal officer or officers of such Citie or towne corporat, or his or their ministers, and there to haue both his eares cut off, or at the election of the offender, pay two hundred poundes, to the Queenes vse, in her receipt of the Exchequer, within two monethes next after the Iudgement giuen of his sayd offence, and also shall suffer imprisonment by the space of sixe monethes after such his or their conuiction, without bayle or mainprise. 23. El. 2.

News upon
other mens re-
ports.

4 All and euery person and persons, which after the ende of the sayd fortie dayes, shall aduisedly, and with a malicious intent against our sayd Soueraigne Lady, report any false, sedicious and flaundersous newes, rumors, or tales, to the slander and defamation of our sayd Soueraigne Lady the Queenes Maiestie that now is, of the speaking or reporting of any other: Then all and euery such persons or person so reporting, being thereof conuicted, and attainted in forme hereafter in this act expressed, shall for euery such first offence eyther be in some market place within the shire, Citie, Borough, or towne, where the sayd wordes were, or shal be so reported: set openly vpon the pillorie by the sherife or his ministers, if it shall fortune to be without any citie or towne corporate, and if it shal fortune to be within any citie or towne corporate, then by the principall officer and officers of such citie or towne corporate, or his or their ministers, and there to haue one of his eares cut off, or at the election of the offender pay two hundred Markes to the Queenes vse, in her receipt of the Exchequer, within two monethes next after the iudgement giuen of his said offence, and also shal suffer imprisonment by the space of three monethes after such his or their conuiction, without bayle or mainprise. 23. El. 2.

The second
slander against
the Q. after
conuiction.

5 If any person or persons, once lawfully conuicted for any of the offences aforesayd, doe afterwards eftsoones offende in any of the offences aforesayd, then euery such second offence to be deemed and adiudged felonie, & the offender & offenders therein, to suffer such paines of death, and forfapture, as in case of felonie, without any benefit of Clergie,

Clergie, or Sanctuarie to be allowed vnto the offendor in that behalfe. 23. El. 2.

6 ¶ If any person or persons, after the end of the said forty daies, either within this realme, or in any other the Queenes dominions, or in any other place, out of the Queenes dominions, shal aduisedly and with a malicious intent against our said soueraigne Lady, deuise, and write, print, or set forth any maner of booke, rime, ballade, letter, or writing, containing any false, sedicious, and flauderous matter, to the defamation of the Q. (that now is) or to the incouraging, stirring, or mouing of any insurrection, or rebellion within this realme, or any of her dominions belonging to the same. Or if any person or persons after the end of the said xl. daies, either within this realme, or other the Q. dominions, or in any other place out of the Queenes dominions, shal aduisedly and with a malicious intent against our said soueraigne Lady, procure or cause any such book, rime, ballade, letter, or writing to be written, printed, published, or set forth, & the said offence not being punishable by the stat. made An. 25. Ed. 3. concerning treason, or declaration of treason, or by any other statute, whereby any offence is made or declared treason: Then euery such offence shalbe deemed and adiudged felony, & the offendors therein, being thereof conuicted & attainted, shal suffer such paines of death and forfaiture, as in case of felony is vsed without any benefit of Clergie or sanctuarie to be allowed vnto the offendor in that behalfe. 23. El. 2.

Slander of the
Q. by booke,
rime, writing.

7 ¶ If any person or persons, of what estate, condicion, or degree soeuer hee or they bee, at any time after the ende of the sayde forty dayes, and during the life of our saide soueraigne Lady the Queene, (that now is) either within her Dominions, or without, shall by setting or erecting of any figure or figures, or by casting of Natiuities, or by calculation, or by any prophesying, witchcraft, coniurations, or other like vnlawfull meanes whatsoeuer, seeke to knowe, and shall set forth by expresse woordes, deedes, or writings, how long her Maiestie shall liue or continue, or who shall raygne as King or Queene of this Realme of Englande, after her highnesse decease, or els shall aduisedly, and with a malicious intent agaynst her highnesse, vtter any maner of direct prophesies to any such effect or purpose. Or shall maliciously by any woordes, writing or printing wish, will, or desire the death or depriuation of our Soueraigne Ladye the Queene (that now is) or any thing directly to the same effect: Then euery such offence shalbe felony, and euery offendor and offendors therein, and also all his or their ayders, procurers, and abbetters, in or to the saide offences, shalbe iudged as

Prophesying
&c. of the Q.
wishing her
death or des-
priuatiou.

Trial of peers.

**No corruptio
of blood, for
of land, or title
of Dower.**

**What Justis
ces may heare
and determine
the foresaid of
fences.**

**Trial of offen
ces committed
out of p realm.**

**Within what
time the offen
dor shalbe ac
cused.**

felons, and shall suffer such paines of death and forfaiture, as in case of Felony is vsed, without any benefite of Clergie or Sanctuarie. And the Peeres of this Realme, and euery of them, that shal hereafter fortune to be indicted of any the offences aforesaide, shall be tryed by their peeres, as before hath bene accustomed in cases of Treason and felonie. But this Acte, or any thing therein contayned, nor any Attainder, or Attainders of any person or persons, for any offence or offences made Felony by this Acte, shall not in any wise extend or be adiudged, interpreted or expounded, to make the offendour or offendours to forfeite or lose, any landes, tenementes, or hereditamentes, any longer then onely during his owne life, or to make any corruption of bloude, to any the heyre or heyres of any such offendour or offendours, or to make the wife of any such offendour to lose or forfeite her dower or title of dower, of, or in any landes, tenementes, or hereditamentes, or her action or interest to the same: Any thing in this Act contained or any Attainder or Attainders hereafter to bee had, for any offence or offences made Felony by this Acte, to the contrary notwithstanding. 23. Eliz. 2.

8 **The Justices of the Kinges Bench, Justices of Oier and terminer, Justices of assises in their seuerall circuites, and Justices of generall goale deliuey, aswel within liberties as without, within the lymittes of their seuerall commissions, shall by vertue hereof, haue full power and authoritie, to enquire of, and to heare and determine al and euery the offences aforesaid. And the party indicted and arraigned of any the offences aforesaid, shall haue aduantage of all maner of challenges to the Jury, as in triall of felony is vsed. 23. El. 2.**

9 **All offences made felony by this Act, which hereafter shalbe done or committed, by any person or persons out of this Realme of England, shall be from henceforth enquired of, heard and determined before the Queenes Justices of her bench for ples to be holden before her selfe, by good and lawfull men of the same county where the same bench shalbe kept, in like maner and to all intents and purposes, as if the same offences had bene done and committed within the same county, where they shalbe so enquired of, heard and determined: any thing to the contrary notwithstanding. 23. El. 2.**

10 **No person or persons shalbe molested or impeached for any of the offences concerning speaking or reporting as is aforesaide, vnles he or they be therof accused within 1. moneth next after such words so spoken or reported, before some one Justice of Peace, and the witnesses therein to be vsed, named to the same Justice, and the same accusation & witnesses names put in wryting by the said Justice, & certified**

at the next quarter sessions or gaole deliuerie, and vnles such offendor also be indicted within one yere next after his or their saide offence so supposed to be committed or done. And no person or persons shalbee hereafter indicted or arraigned for any offence or offences touching or concerning speaking or reporting as aforesaide, vnles the same offence or offences be proued by y^e testimony, deposition, and othes of ii. sufficient witnesses also, at the time of his or their Indictment, which saide witnesses also, at the time of the arraignment of the party so indicted, shalbe brought forth in person before the partie so arraigned, face to face, and there shall openly declare all they can say against the said party so indicted, vnles the said party so indicted shal willingly and without violence confesse the same. 23. El. 2.

Testimony requisite for the conviction of any prisoner.

I Every Maior or Maiors, Bailife or other head Officer of Cities, Boroughes, and Townes corporate, which haue or hereafter shall haue iurisdiction and auctoritie, within their seuerall limittes of their office or offices, to holde and keepe Sessions as Justice or Justices of the peace, shall and may by the auctoritie hereof, aswell arrest and commit to warde or baile, in maner and forme aforesaide, all and euery person and persons, being vehemently suspected of any the offences aforesaid, as also to enquire of all and euery the offences aforesaid, and to proceede to the indicting of euery such offendor, without any further proceeding therein: Any thing in this act &c. notwithstanding. 23. El. 2.

Officers in corporate towns may imprison & indict the offenders.

1 That Iustices of peace shall enquire of the foresaide offences, and commit offenders to warde, S. Iustices of peace 21.

2 What challenge he shal haue which is indicted and arraigned vpon the foresaid statute. S. Challenge 12.

Nisi prius.

The chief Justice of England for y^e time being, vpon issues ioyned, or to be ioyned in the court called the kings bench, or in the court of Chancery, y^e chief Justice of the comon plees for the time being, vpon issues ioyned or to be ioyned in the court of comon plees, & the chiefe Baron of the Eschequer for the time being, vpon issues ioyned, or to be ioyned in the court of Eschequer, or in the absence or default of any of them, two other Judges or barons of the same seuerall courtes, where it shall happen either of the same chiefe Justices, or the chiefe Baron, for the time being, to be absent, shall or may at their discretions, within Westminster hall in Westminster, or in the place where the Court of Eschequer is comonly kept, in the county of Middlesex, as Justices of Nisi prius for the said county of Middlesex, within the terme time, or within foure dayes next after the ende of euery or any terme,

Trial of issues ioyned in the Chancery, kings bench, comon place & Eschequer, by Nisi prius, in Westminster hall.

Li. ii.

seuerally

seuerally trie all maner of Issues, ioyned or to be ioyned in any of the saide seuerall Courtes, which by the ordinary course of the lawes of this Realme, ought to be tryed in any of the said Courtes, by an Enquest of the said County of Middlesex, and commissions and writtes of Nisi prius shal be awarded in such cases, and in such forme as they are, or haue bene vled in any other shire of this Realme. 18. El. 11.

Nisi prius sued
forth.

2 It shalbe lawfull for any person or persons, vpon reasonable warning giuen to the aduerse party, or his or their Atturney, as hath bene accustomed in such like cases, to take or sue forth writs and Records of Nisi prius, for the trial of the said issues, in the said county of Middlesex, as they may do vpon any issue ioyned, triable in any other county, & thereupon take the Jury in such maner and forme, & with awarding of tales de circūstantibus, & awarding the non suite, as is vled for the triall of issues ioyned, or non suites to bee awarded in the said courts or any of them, triable within the citie of London or within any other County of this Realme of England. 18. El. 11.

Shirifes at
tendance.

3 The Shirifes of the said County of Middlesex, for the time being, shal make returne of all writtes of Nisi prius, which shalbe deliuered to them, or to their, or any of their sufficient deputy for the time being, before the said Judges, Baron or Barons, and euery of them, & shal giue their attendance vpon the said Iustices, Baron and barons, as well for the returning of such tales as shalbe payed de circūstantibus for the trying of the sayd Issues, as for the doing and executing of all other thing and things to the office of the Shirife in such case belonging or appertaining. 18. El. 11.

Jurors,
Paries,
Witnesses.

4 And al persons to be impanelled in such Iuries, & the parties to the same issues and suites, & the witnesses for the same, shalbe charged & bound, in such and the like sort, & vpon the like paines & penalties, for their not appearāce and attendance, or for their or any of their misdemeanor or default, before the said Iustices of Nisi prius, as they should haue bene, if the same Issue had bene tryed in the court, from whence the Nisi prius thereof was awarded: All which seuerall trials so to be had, before the said seuerall Iustices, Baron, or Barons, shal stand, & be as good and auailable in lawe, as if the same had bene tried in the terme at the barre in the Court where such issue was ioyned or triable: Any lawe &c. notwithstanding. 18. El. 11.

5 By the statutes of West. 2. 13. Ed. 1. 30. 27. Ed. 1. 4. 12. Ed. 2. 3. 2. Ed. 3. 17. 4. Ed. 3. 11. 14. Ed. 3. 16. and 7. R. 2. 7. & 15. It was provided, that certaine Enquestes and Iuries shoulde be taken in the Countrey before Iustices by Nisi prius. And it was also by the same ordayned, in what cases Nisi prius is grauntable, before whome
and

and at what dayes, and what things Iustices of Nisi prius haue power to doe, and inquire of: But although the same statutes be in force, yet the vse, order & course by them appointed, is now in diuers respectes altered.

1 That Nisi prius shalbe graunted in Attaint, S. Attaint, 12.

¶ Nontenure.

B exception of Nontenure of parcell, no writte shall be abated but for the quantity of the nontenure which is alleadged. 25. Ed. 3. 16

1 Exception to a fine that the parties to the same had nothing in the lande, S. Fines, 8.

¶ Office, Inquisition.

If any Offices or Inquisitions be founde before Eschetoys, Commissioners, or others, contayning tenure of the Queene in Capite, entituling her grace to the wardshippe or custodie of any landes, tenements, or hereditaments, or entituling her to the same, vpon attainders of treason, or felonie or otherwise, whereas any other person or persons doe holde the same lands &c. for terme of yeeres, or by copie of Court rolle, or doe enioy any rent, common, office, fee, or other profite appender, of any estate of freehold, for yeeres or otherwise, out of such lands &c. specified in such offices, though in such offices such titles, interests, or matters shalbe omitted & not found, yet euery lessee, tenant for yeeres, or copp holder, & euery such person and persons that haue any interest to any rent, common, or profite appender, for terme of yeeres, life, or otherwise out of the lands &c. conceyued in such office or inquisition, where the Q. shalbe intituled to the same, shal haue, enioy and perceiue, all and euery their leases and interestes for terme of yeeres, or by copy of court rolle, rents, commons, offices, fees, and profite appender, in such maner & condition, as euery of them should or might haue done, in case there had bin no such office found, & as such lease, interest by copy of Court rolle, common office, fee, or profite appender had bin found in such office. 2. Ed. 6. 8.

Other mens interests saued though they be not found by office.

2 **I**f a Jury that shalbe swozne before any Eschetoys, or Commissioner, to enquire of lands &c. doe not receiue the counterpaine of the office or inquisition by them shalbe presented, indented and sealed by the Eschetoys or Commissioner, & the same deliuer & suffer to rest in the possession of the first person who shalbe swozne in the said Jury, to the intent that the Eschetoys or Commissioner may not change or imbeile the said office, euery of the said Jury shal for. xx. s. 1. W. 8. 8. 2. W. 8. 2.

The counterpaine of an office shal remaine with the first man of the Jury.

3 **I**f the lands and tenements whereof any inquisition is to be had by vertue of any writte or commission, exceede the value of v. li. by the yeere, then such as sue for such writtes or commissions, shal pay for the

The fees of writs or commissions.

seale and writing thereof such fees as haue bene accustomed. And if þ lands & tenements whereof any inquisition & office is to be found by vertue of any writ or commission, exceede not the saide perely value of v.li. Then such as shall sue for such writ or commissions, shall pay for the seale of euery of them, vi. d. and not aboue. 33. H. 8. 22.

Receiuing an
office certified.

4 ¶ If the officer of a Court of record, where an inquisition of lād not exceeding the perely value of v.li. shall be returned, being offered vnto him, within one moneth next after the finding thereof, doe not receiue the same, he shall forf. v.li. to the Q. & J. to bee rec. by A. J. & c. wherein no W. E. P. & c. 33. H. 8. 22.

An office res-
ceined within
thye dāies.

5 ¶ If the Clerkes of the petit Bagge of the Chauncery, or his deputie, or any officer of the Eschequer, hauing aucthoritie to receiue any offices or inquisitions, to whose handes an office or inquisition shall come, which ought to bee returned into the Chauncerie or Eschequer, will not receiue the same, & put it on the file as of record within thye dāies after it be receiued or offered to him, hee shall forf. xl. li. 1. H. 8. 8. 3. H. 8. 2.

Transcript of
offices.

6 ¶ The Clerkes of the petit Bagge in the Chauncery, shall certifye the transcript of al offices found and returned into þ Chauncery, betweene Easter and S. Michael into the Eschequer, in the terme of S. Michael. And the transcript of all offices found & returned into þ Chauncery, betweene Michaelmas & Easter they shall certifye perely in the terme of Easter, and otherwise they shall not certifye, and also they shall certifye the transcript of all offices into the Court of wardes & Liueries, in like maner & forme, as they are bounde to do into the Eschequer. 33. H. 8. 22. which certificates they shall make in forme aforesaid, vpon paine to forf. for euery default C. s. to the Q. and J. to be recouered by action of debt, wherein no W. & c. E. P. & c. 1. H. 8. 8. 3. H. 8. 2. 33. H. 8. 22.

Offices in La-
ncaster, Chester,
Duresme.

7 ¶ All Inquisitions and offices founde before any Eschetor or Commissioners, by vertue of any writs or commission or otherwise, within the countie palantines of the Duchy of Lancaster, Chester & Duresme, or any of them, shall be returned by the sayd Eschetors & Commissioners, within one moneth next after the taking thereof, into such places & offices, as heretofore they haue bene accustomed to be returned into, vpon paine to forf. for euery default xl. li. to the Q. And the Clerke of þ Duchy of Lancaster, the vicechamberlaine of Chester, & the Chauncelloz of the countie palantine of Duresme, or other officers within the said countie palantines, or their deputies, & euery of them, hauing aucthoritie to receiue any such office or inquisition, to whose handes the same shall come, shall certifye or cause to be certified
under

under his or their handes in parchment, the true transcript of every such office or inquisition, taken before any of the said Eschetors or commissioners, unto the Master of the Court of Wardes and Liveries, in such like maner, as is appointed to the Clerkes of the petit Bagge in the Chauncery to transport the same, vpon paine to forf. for every such default v. li. to the Queene, which transcript shal there remain of recoꝝde, in like maner as the transcripts of their offices already certified into the said Court by the Clerkes of the petit bagge are used, 18. El. 12.

1 Where a Melius inquirendum shall be awarded vpon an office vncertainly founde, S. Tenures 6.

2 For the maner of finding of offices and returning them, S. Eschetors 2. 4. 7. 9. 10.

3 Where, and in what cases, any person may be allowed to traueise an office. S. Traueise 1. 2. 3.

4 That the landes, goodes &c. of any person attainted of Treason shall bee in the Queene without office founde of the same. S. Treason, 14.

¶ Offices & Officers,

The Chancelor of England, Treasorer, Keeper of the priuy seale, Steward of the Queenes house, the Queenes Chamberlayne, Master of the Rolles, the Iustices of the one Bench & the other, Barons of the Eschequer, & al other that shalbe called to ordaine, name or make Iustices of peace, Shirifes, Eschetors, Customers, Comp-trollers, or any other officers or ministers of the Queenes, shalbe sworne, that they shal not ordaine, name, or make, any of the foresaide officers, or any other officers or ministers of the Queenes, for any gift or bꝛocage, fauor or affection, Nor that any which labourerh by him selfe or by other priuily or openly, to bee in any office, shalbe put in the same office or in any other. But they shal make al such officers & ministers of the best and most lawfull and sufficient men to their estimation and knowledge. 12. R. 2. 2.

None shal obtaine offices by suit or reward.

2 **A**ll Officers made by the Queenes letters patents, within her courts which haue authoritie by vertue of their offices of olde time accustomed, to make or appoint Clerkes & ministers within the same courts, shalbe charged & sworne to appoint & make such clerks & ministers, for whome they will answere at their perill, which bee sufficient, faithfull, & ready to attend to that which pertaineth to their charge, alwel touching the Queenes seruice, as the busines of all the common people, 2. H. 6. 10.

Officers of the Queenes Courts.

Officers re-
mouable.

3 No Customer, Comptroller, Searcher, Wayer, Finder, Aud-
neger, gaugeour, collectour of customes or Subsidies, shall haue any
estate in his office for terme of life, or peeres, but the said offices shall
remaine in the Queenes hands, vnder the Gouvernance and direction
of the Treasorer of England (with the assent of the Councel if neede
be.) And no letters patents shalbe made of any of the said offices, but
by warrant and bil assigned by the Treasorer, sent into the Chaunce-
ry. And if any letters patents be made by any other warrant or Bill,
they be voide. 14.R.2.10.17.R.2.5.1.W.4.13.31.W.6.4.

Buying & sel-
ling of offices.

4 If any person doe bargaine or sell any office, or Deputation
of any office, or any part of any of them, or receiue, haue, or take, any
money, fee, reward, or any other profite directly or indirectly, or take
any Promise, Couenant, Bonde, Agreement, or any Assurance to
haue any money or other profite for any Office, or for the deputation
of any office, or any part of any of them, or to the intent that any per-
son shoulde haue, exercise or enioy any office, or the deputation of any
office, &c. or any part of any of them, which office or any part of them,
shall in any wise concerne the administration or execution of Justice,
or the receipt, controlment, or paiement of any of the Queenes trea-
sure, money, rent, reuenue, accompt, aulnage, auditorship, or suruey-
ing of any of the Queenes landes, woods, or hereditaments, or any of
the Queenes Customes, or any Administration, or necessary Atten-
dance to be done in any of the Queenes Custome houses, or the kee-
ping of any of the Queenes townes, castles, or fortresses, being vled
or appointed for a place of strength and defence, or which shall touche
any Clerkship to be occupied in any court of Record, wherein Justice
is to be ministred: Then euery such person that shall so bargaine or
sell any of the said offices or deputations, or shal take any money, fee,
reward, or profit for any of them, or any part of any of them, or that
shall take any promise, couenant, bande, or assurance, for any money,
rewarde, or profit to be giuen for any of them, shall lose all his right,
interest, and estate, which he shall then haue, of, in, or to any of the said
offices or deputations, or any part of any of them, or of, in, or to the
gift or nomination of any of the said offices or deputations, for which
offices or deputations, or any part of any of them, any such persons
shall make any bargaine or sale, or take any money, fee, rewarde, or
profite, or any promise, couenant, or assurance, to haue or receiue any
fee, reward, money, or profit. And also euery such person that shall
giue any money, fee, or reward, or shal make any promise, agreemēt,
bonde, or assurance, for any of the said offices or deputations, or any
part of any of them, shal immeadiatly, by & vpon the same fee, money,

or reward giuen or payed, or vpon any such promise, couenant, band, or agreement had or made, for any fee, summe of money, or reward to be payed, be adjudged a disable person in the law to all intents, to haue, occupie or inioy the said offices or deputations, or any part of any of them, for the which such person shall so giue or pay, or make any couenant, band, or promise &c. to pay any summe of mony, fee, or reward. And all such bargaines, sales, promises, bands, agreemēts, couenants, and assurances as be before specified, shalbe voyde to and against him and them by whom they shalbe had or made. 5. Ed. 6. 16.

5 ¶ But this statute extendeth not to any office, whereof any person is or shalbe seised of any estate of inheritance, nor to any office of parkership, or of the keeping of any house, manor, gardein, parke, chafe or forest: Neither doth it extende, or is preiudiciall to any of the chiefe Iustices of the kings bench, or cōmon place, or to any of y^e Iustices of assise, But euery of the sayd Iustices may doe in euery behalfe touching any office or offices to be giuen or graunted by any of them, as they might haue done before &c. 5. Ed. 6. 16.

Offices where
into y^e statute
extendeth not.

6 ¶ If any person doe offend in any thing, contrary to the tenor of this act, yet all iudgements giuen, and all other acts executed & done by him by auctoritie, or colour of the office which ought to be forfeited, or not occupied by him after the offence by him committed before he be remoued from y^e administration of y^e said office or deputation, shalbe good & sufficient in the law to all intents, in like maner, as the same should haue bene if this statute had not bene made. 1. Ed. 6. 16.

Acts done by
an officer re-
mouable.

7 ¶ If any of the officers appoynted for the Court of wardes and liueries, doe conceale or withdraue willingly any rents, casualties, or other profites, comming to the Queene by the minoritie of any of her wardes, or by reason of any thing appoynted to be win the order of the Court of wardes & liueries: Then they so offending shall lose to the Queene the double value of y^e thing concealed, or withdrawen. 32. H. 8. 46. And if the Surueior or Clerke of the liueries, do willingly withdraw or conceale any record or profit that should grow to the Q. &c. by reason of the same, then he shal lose to the Q. &c. the double value of y^e thing so concealed or withdrawen, to be leuied and recouered against the offender, vpon an information made by the party griued, and the same duely proued in the court of wards & liueries. 33. H. 8. 22.

Officer with-
drawing the
Queenes rents.

1 ¶ Where officers by reason of their offices may exhibit Informations. S. Accions populer. 8.

2 How officers of the Queenes shalbe punished, which by colour of their offices do disseise any man. S. Assise. 4.

3 The forf. of officers of the kings bench, or common place, for

Oyle, Ordinarie,

for false entries in certaine cases. S. Apparance. 1.

4 Where commissions shalbe awarded to enquire of concealement of officers accomptable in the Eschequer. S. Accompt to the Q. 46.

5 That the Queenes officers shal not be vnlawfully retained with any other, nor suffer any of her tenants to be retained. S. Liuries, 7.

¶ Oyle.

Searching of
oyle in Londo.

The Maior of London with the Masters and wardens of the mystery of Tallow Chaundlers of the same citie, haue aucthoritie to search all maner of Oyles brought into the sayde citie to be solde, in whose hands soeuer they shalbe found, as often as the case shal require, And they shall ouersee that the same Oyles put to sale, be not mixt or altered from their right kinds, but that they be good & lawfull as they ought to be. And it is lawfull for the sayd Maior, with the sayd Master and wardens, to dampne, auoyde, and vtterly to cast away all such oyles as they finde defectiue, or falsly, or deceiuably mixed and altered from their right kindes, without let of any person. And also they may commit such person as shalbe found defectiue by vsing such deceite or craft to ward, and punish them by their discretions, according to the lawes and customes within the Citie or libertie of London, vsed and made for their misdoers. 3. H. 8. 14.

Searching of
oyle out of
London.

2 **T**he Maior in euery citie, borough, & towne where a Maior is, or the gouernours or rulers of euery other citie, borough &c. for the time being, haue within their iurisdiction, libertie, and franchise, like aucthoritie to make and do like search, order, direction, correction, punishment and execution for the same, of, for, and vpon all oyles being defectiue, or deceiuably, or falsly mixed and altered, by any person within their liberties and franchises, in maner and forme before rehearsed, and as the Maiors, masters, and wardens of the Citie of London haue or may in London &c. 3. H. 8. 14.

¶ Ordinarie,

Ordinarie
charged as
executors.

If by the death of any dying intestat, which is bound to some other for debt, the goods come to the Ordinaries hands to be disposed, the Ordinarie is bound to answere as farre forth as the goods of the dead will extend, in such sort as executors shoulde haue bene bounde, if the partie had made a will. West. 2. 13. Ed. 1. 19.

Ordinarie in-
dicted of extor-
sion.

2 **N**o Ordinarie, or any minister of his shalbe indicted of extortion or oppression generally, but it must bee declared and put in cer-
taine

taine in the indictment, in what thing, of what, and in what maner the said Ordinaries or their ministers haue done extortion and oppression, or otherwise the sayde Ordinarie &c. shall not bee impeached by the Queenes Iustices, for the said indictment. 25. Ed. 3. 9. Stat. pro clero.

3 ¶ An. 31. H. 8. 13. it was enacted. That such of the late Monasteries, Abbathies, Priories, Nunries, Colledges, hospitals, houses of Friers, and other religious and ecclesiastical houses and places, and all churches & chappels to any of them belonging, which befoze the dissolution, suppression, or comming vnto H. 8. were exempted from the visitation, & all other iurisdiction of the ordinarie, within whose dioces they were scituat, shoulde be within the iurisdiction & visitation of the Ordinaries, within whose dioces they or any of them be scituat, or of such persons as by the sayde king H. 8. shoulde be appoynted, any exemption, libertie, or iurisdiction notwithstanding. 31. H. 8. 12.

Religious houses within the visitation of the Ordinarie

1 The Ordinaries auctoritie and ductie, when any question for tythes shall come in debate before him. S. Tythes. 20. 21. 31.

2 That the Ordinarie may suspende him which chideth in a Church or Churchyard. S. Fighting. 2.

3 The Ordinaries auctoritie in punishing the incontinency of ecclesiasticall persons. S. Incontinencie. 1.

4 Where the Ordinarie must giue the patron notice of depriuation vi. moneths before Lapses. S. Lapse. 1.

5 That the Ordinarie may visite Hospitals within his Dioces, and call the officers to accompt. S. Hospitals. 1.

6 For the Ordinaries ductie in prouing of testaments and graunting administration, S. Probate, &c.

¶ Otmeale.

If any person wil take vpon him to sell Otmeale, which is impaired by any craftie meanes, first he shalbe grievously punished, and being the second time conuict, he shall lose all his Otmeale, the thirde time shalbe adiudged to the Pylozie, and the fourth time he shall forswear the towne. 51. Ed. 1.

Selling of corrupt Otmeale.

¶ Pardon.

NO charter of Pardon of any Felony, Robbery, or Homicide, shall be graunted to any person, but where the Queene may doe it sauving her othe taken at her Coronation, (vz. Where a man killeth another in his owne defence, or by misfortune. 2. Ed. 3. 2.) And if any Charter be otherwise graunted, it shall be voyde. 4. Ed. 3. 12. 10. Ed. 3. 2. 14. Ed. 3. 15.

Of what offences pardon may be graunted.

2 ¶ In

The suggestio
comprised in
the pardon,

2 ¶ In every Charter of pardon of Felony, which shalbe graunted at any mans suggestion, the suggestion, and the name of him that maketh it, shalbe comprised in the same charter. And if after ward the suggestion be found vnttrue, the charter shalbe disallowed and accompted nothing worth. And the Iustices befoze whom such Charters shal be alledged, shall inquire of the same suggestions, and if they finde them vnttrue, they shall disallow the Charters, and further proceede as the law requireth. An. 27. Ed. 3. 2.

The offences
specified in the
pardon,

3 ¶ No Charter of Pardon shall be allowed befoze any Iustice for Murther, or for the death of a man slayne by awayte, assault, or malice prepenced, Treason, or Rape of a womā, vnlesse the same murther, death, treason or rape be specified in the same Charter, and if a charter of the death of a man be alledged befoze any Iustices, in which it is not specified that hee of whose death any such is arraigned, was murdered or slayne by awayt, assault, or malice prepenced, the same Iustices shall inquire by a good Enquest of the visne, where the dead was slaine, if he were murdered or slaine by awayt, assault, or malice prepenced. And if they finde that hee was murdered or slayne by awayt &c. the Charter shalbe disallowed, and further therein shall be done, as the lawe requireth. 13. R. 2. 1. 16. R. 2. 6.

Pardon of an
approuer,

4 ¶ If any man or woman, do desire, or pursue, or cause to be requested or pursued, for any charter of pardon, for any felon arraigned of Felony, Murther, or Rape, which for safegard of his life doeth become an approuer, the name of him or her which pursueth such charter, shall be put in the Charter making mencion that the same Charter is graunted at his request and instance. And if hee to whome the charter is granted, after his deliuerance becommeth a felon againe, the same person which did pursue for his charter, shall forf. to the Q. C. li. &c. 5. H. 4. 2.

He that hath a
pardon, shall
finde suerties
for his good
abearing.

5 ¶ If the Q. do graunt to any person any charter of pardon, of any homicide, robberie, or felony, then he to whome the same is graunted shall come within iii. moneths next after the making of the same, befoze the Sherife and Coroners of the Countie where the felony was done, and shall finde vi. good and sufficient Mainpernours, for whom the saide Sherife and Coroners will answere, that hee from thenceforth shal beare himselfe well and lawfully. And the mainprises shall be sealed & returned into the Chauncery within iii. weekes after the end of y^e said thre moneths. And if he which hath such charter will aide himselfe thereby, and hath not found such mainprises, or after such mainprise founde doth beare him otherwise against the peace then hee ought, his charter shalbe accompted voyde & of no force, 10. Ed. 3. 3.

1 What

1 What things be requisite to make pardons of vtlawry allowed, S. Exigent, 2. 3.

2 That none haue aucthoritie to pardon Felons &c. but the Queene, S. Prærogatiue, 17.

¶ Parliament.

Every person of the realme which hath Summons to come to the Parliament which shalbe holden once every peere, and more often if neede be. (4. Ed. 3. 13. 36. Ed. 3. 10.) be he Archbishop, Bishop, Duke, Earle, Baron, Baronet, Knight of the shire, Citizen of City, Burgesse of Borough, or other singuler person or comminalltie, that doth absent himselfe and commeth not at the said Summons, (except he can reasonably and honestly excuse himselfe to the Q. Maiestie,) shalbe amerced, and otherwise punished according as hath bene vſed 5. R. 2. 4.

Ech man that ought, shall bypon summons, come to the Parliament.

2 ¶ No Knight, Citizen, Burgesse, or Baron, that shalbe elected to come or bee in any Parliament, shall depart from the same Parliament, nor absent him selfe from the same, vntill the same Parliament be fully finished, ended, or proroged, (except he haue licence of the Speaker and Commons in the sayd Parliament assembled, and the same licence be entred of Record in the booke of the Clerke of the Parliament appoynted for the common house) vpon payne to lose all those summes of money which hee ought to haue had for his wages. And all the Counties, Cities, and Boroughes, whereof any such person shalbe elected, and the inhabitants of the same, shalbe cleerely discharged of the said wages against the said person and his executors for euer. 6. H. 8. 16.

No man that depart from the Parliament without licence.

3 ¶ If any Sherife of the Realme be negligent in making his returne of writs of the Parliament, or leaue out of the said returnes any Cities, or Boroughes, which be bound, or of old times were wont to come to the Parliament, he shalbe punished in such sort, as it hath bene vſed &c. 5. R. 2. Stat. 2. 4.

Returne of the writs for the Parliament.

4 ¶ At the next Countie holden after the deliuerie of the Q. writ for the election of the Knightes of the Parliament, proclamation shalbe made in the full Countie, of the day and place of the Parliament, and that all they which be there present, as well Sutors summoned for the same cause, as other, shall attend to the election of their Knightes for the Parliament, and then in the full County they shall proceede to the election freely and indifferently (notwithstanding any prayer or commandement to the contrary. 7. H. 4. 15.) which election shall be made by the Sherife in due and conuenient time, (That

The maner of the election of the knights for the Parliament.

is

is to say, every Sherife in his ful countie shal make the same, betweene the houre of viii. and the houre of ix. in the forenoone, without collusion. And the Knights of the shires within England shalbe chosen by men dwelling and resident within the same counties, whereof every one hath free landes or tenements to the value of xl.s. by the peere at the least, above all charges, within the same countie, where any such person will medle in the election. And they which shalbe chosen, shalbe also remaining and dwelling within the same counties the day of the date of the writ, for summons of the Parliament. And they which have the greater number of those which may dispend xl.s. or above (be they absent or present) shall bee returned by the sherife of every countie, knightes for the Parliament, by Indenture ensealed, made betwixt the said sherife, and the said Choosers, and the Indenture shalbe fyled to the Parliament writ, which Indenture so sealed and fyled, shalbe the returne of the same writ. And every sherife within the Realme of England, hath authoritie to examine by oth, upon the holy Euangelistes e- uery such Elector, howe much he may dispend by peere (for he that cannot dispend xl.s. by peere, shall not in any maner be a chooser of the knights of the parliament.) And if any sherife returne knights for the parliament contrary to this statute, or doth not make his election with- in y^e foresaid time: the Iustices of Assise in their Sessions haue power to enquire thereof, and if by Enquest it be found before the same Justices, and the sherife thereof attainted, he shall forf. to the M. C. li. and al- so be imprisoned a yere, without being let to baile or mainprise. And mozeouer he shall forf. and pay to every person chosen knight for the shire, and not duely returned C. li. whereof every knight so grieved shall haue his action of debt against the said sherife, his executors or ad- ministrators, to demandaund and haue the said C. li. with his costes in that case dispended, wherein no W. E. &c. And also the knights for the par- liament returned in contrary maner, shall lose their wages. 7. H. 4. 15. 11. H. 4. 1. 1. H. 5. 1. 8. H. 6. 7. 10. H. 6. 2. 23. H. 6. 15. But the She- rifes which shall make such elections, shall haue their answer and traaverse to such Enquestes and Offices found before the Justices of assise. And neither the Sherifes nor the Knights supposed to bee vn- duely returned shall incurre any damage to the Queene, vntill they be duely conuicted, according to the course of the law. 6. H. 6. 4.

The Sherifes
forfapture.

Election of
Burgesses.

5 ¶ Every Sherife after the deliuerie of the Queenes writ for the parliament, shall make & deliuer without fraud, a sufficient precept vnder his Seale to every Maior and Baylife, or to Baylifes or Bay- life, where no Maior is, of the cities & boroughes within his county, reciting the same writ, commaunding them by the same precept (if it be

be a Citie) to chosse by Citizens of the same Citie, and in the same maner, if it be a borough, by the Burgeses of the same, to come to the Parliament. And the same Maior and Bailife or Bailifes &c. shall retorne lawfully the Precept, to the same Sherife, by Indenture betwixt the same Sherife, and them of the said election, and of the names of the Citizens & Burgeses by them so chosen, and thereupon euery Sherife shall make a good and rightfull retorne of euery such writ, and of euery retorne of the Maiors or Bailifes &c. to him made. And euery Sherife at euery time that he doth contrary to this statute, or any other statutes for the election of knights, Citizens, and Burgeses, to come to any Parliament (made befoze the xxv. day of Februarie. An. Do. 1444. and 23. H. 6.) shall forfeit to the Queene C. li. and be one yere imprisoned without baile or mainprise, and mozeouer shal forfeit and pay to euery person chosen knight, citizen, or Burgesse in his Countie to come to any Parliament, and not duely returned C. li. whereof euery knight, Citizen, or Burgesse so griued seuerally, shall haue his accion of debt against the said Sherife or his executors or administrators, to demaund and haue the said C. li. with his costes in that case expended, wherein no W. E. &c. 23. H. 6. 15.

6 ¶ At euery time that any Maior and Bailifes, or bailife, or bailifes where no Maior is, shall retorne other persons then those which be chosen by the Citizens and Burgeses of the Cities or Boroughes where such elections shalbe made, they shall forfeit to the Q. xl. li. and also they shall forfeit and pay to euery person chosen citizen or burgesse for the parliament, & not by the said Maior &c. or Bailifes &c. returned xl. li. whereof euery of the Citizens or Burgeses so griued, seuerally shall haue his accion of debt against the said Maiors and Bailifes, or Bailife, or bailifes where no Maior is, against their executors, or administrators, to demaunde and haue xl. li. with his costes in that case expended, wherein no Wager. E. &c. 23. H. 6. 15.

Other Burgeses returned then which be chosen.

7 ¶ If any Knight, Citizen, or Burgesse, returned by the Sherife to come to the Parliament in forme aforesayde, be after such retorne by any person put out, and an other put in his place, such person put in the place of him which is so put out, if hee take vpon him to bee a Knight, Citizen, or Burgesse at any Parliament, shall forfeit to the Queene C. li. and also C. li. to the Knight, Citizen, or Burgesse so returned by the Sherife, & afterwards put out, for y^e which C. li. y^e Knight, Citizen, or burgesse put out, shall haue his accion of debt against such person put in his place, his executors or administrators. 23. H. 6. 15.

A knight or burgesse put out, and another put in his place.

8 ¶ But the said Knight, Citizen or Burgesse put out, and euery other person befoze named, which shall or may haue any accion of debt against

Within what time the suit shalbe commenced.

against any Sherife, Maior, Bailife, bailifes &c. for to demaund C.li. or xl.li. by force of any branch or clause before rehearsed, shall begin his accion of debt, within iii. monethes after the same parliament commenced, and proceede in the same suit effectually without fraud. And if he do not so, any other that wil sue shall haue the said accion of debt, to haue & recouer the same summe, with his costes in that behalfe dispended in maner & foyme aforesaid, wherein no W.C. &c. 23. W.6. 15.

Who shalbe knights for the Parliament.

9 ¶ The knights of the shires chosen for the Parliament, shalbe worthy and notable knights of the same shires for which they be chosen, or otherwise such notable Esquires, Gentlemen bozne of the same Counties, as shall be able to be Knights. And no man shall be such a knight which standeth in the degree of a yeoman or vnder, 23. W.6. 15. And the Citizens and Burgesles of Cities and Boroughs shall be chosen of men which be Citizens and Burgesles, resiant, dwelling, & enfranchised in the same Cities and Boroughes, and in none other maner. 1. W.5. 1.

Citizens and Burgesles.

The Queenes assent.

10 ¶ The Queenes royal assent, by her letters patents vnder her great seale, and assigned with her hand, and declared and notified in her absence, to the Lords spiritual and temporal, and to the commons assembled together in the high house, is, and euer was, and shalbe of as good strength & force, as though the Queenes persō had bin there personally present, & had assented openly & publikely to y^e same. 33. W.8. 21.

Lands contributory to knights wages.

11 ¶ If any Lord, or other spirituall man, or temporal, haue purchased any lands, tenements, or possessions that were wont before the said purchase to be contributory to the expences of the knights coming to the Parliament, the said lands, tenements, and possessions, and the tenants of the same, shalbe contributory to the said expences, as the sayde landes &c. were wont to be, before the time of the same purchase. 12. R.2. 12.

The order of leuying knights wages.

12 ¶ The Sherife of euery Countie for the time being, in the next Countie court holden in their Counties, after the deliuerance of the Queenes writs to them, De solutione feodi militis parliamenti, shall make open proclamation, that the Coroners, and euery chiefe Constable of peace of the sayde Counties, and the Bailifes of euery hundred or wapentake of the same Countie, and all other which wil be at the assessing of the wages of the knights of the shires, shalbe at the next countie there to be holden, to assele the sayde wages of the sayde knights. And the sherife, vnder sherife, Coroners, or Bailifes for the time being, shalbe there at the same time in their proper person, vpon paine of forfaiture to the Q. of euery of them that maketh default. xl.s. at which time the sayd sherife or vnder sherife, in the presence of them that

W. L.
cy/20f

that shall come to the same, and of the sutors of the sayd countie then being there in the full countie, well and duely shall asseſſe every hundred to that asseſſable, by it selfe, to pay a certeine summe for wages of the knightes of the shire, so that the whole summe of all the hundreds doe not excede the summe which shalbe due to þ said knightes, and after that, in the same countie shal asseſſe every village within the sayd hundreds, which shalbe there asseſſable, to a certeine summe for the payment of the sayde wages, so that the whole summe of all the townes, within any of the sayde hundreds doe not exceed the summe asseſſed vpon the hundred of which they be. And the sayd sherifes, vnder sherifes, baylifes, nor no other officer, for the cause aforesayde shall leuie more money of any village, then that wherunto they were asseſſed. And if any doe, or will asseſſe any hundred, or village otherwise then is aforesayd, they shal forfeit for every default to the *Q. xx. li.* and to any man which will sue in this case *x. li.* And the sayd sherifes wel and duely shall leuie the money so asseſſed vpon the foresayde villages, as soone as they well may, after the said asseſſing, and the same shal deliver to the sayd knightes, according to the writs thereof, vpon the foresayd paines &c. & he that will sue in this case shall be thereunto admitted, & shal haue a Scire fac. against him that offendeth against this stat. & if the defendaunt duely warned in the same, make default, or els appeare & be in þ same conuict, then þ plaintifes shal recouer against the which be so conuict. *x. li.* to their owne vse, besides the saide *xx. li.* with their treble damages, for the costs of their suites. *23. H. 6. 11.*

1 How they shalbe punished which do assault anie lord, knight, or burgesse of the parliaments, or anie of their seruants, *S. Fighting. 5*

2 In what sort he shalbe vsed which entreth into the parliament house, without taking the othe for the assurance of the Queenes power ouer all estates, *S. Queene. 5.*

3 For the knights and burgesſes of Parliament, to be chosen in euery shire, citie and towne corporate in Wales, and for their wages, *S. Wales. 116. 117. 118. 119. 120. 121.*

4 That there shalbe 2. knights for the Countie, and 2. Citizens for the Citie of Chester for euery parliament, *S. Chester. 2.*

5 That they which come to the conuocation, shall haue such liberties as they which come to the parliament, *S. Conuocation. 1.*

6 That no appeales shalbe sued in the Parliament, *S. Appeale. 1.*

¶ Partition, Parceners.

If an inheritance which is holden of the *Q.* in Capite, doe descende to diuers Coparceners, then all the heires shall doe homage to the *Queene,*

Partition of
lands holden
in Capite.

R. k. i.

Queene, and the inheritance which is holden of the Queene shall bee so deuided amongst the heires, that euery of them from thencefoorth shall holde her part of the Queene, Prærog. Regis. 17. Co. 2. 5. And if they be within age, the Queene shall haue the wardship and marriage of euery one of them, and so shall euery other Lord of whome they hold their lands, Sta. Hibernia.

Jointtenants, tenants in common, may be compelled to make partition.

2 ¶ All Jointtenments and tenants in common of any estate, or estates of inheritance, in their owne rightes, or in the rightes of their wiues, of any manors, landes, tenementes or hereditamentes, within Englands, Wales, or the Marches of the same, shall and may be compelled to make partition betweene them, of all such manors, landes, tenementes, and hereditamentes, as they holde as ioyntenantes or tenants in common, by writ De Particione facienda, in like maner, as coparceners by the common lawes haue bene and are compellable to do, and the same writ shalbe pursued at the common lawe. 31. H. 8. 1.

Writ after partition.

3 ¶ But euery of the said ioyntenants, or tenants in common and their heires after such partition made, shall and may haue aide of the other, or of their heires, to the intent to deraigne the warranty paramount, and to recouer for the rate, as is vsed betweene parceners after partition by order of the common lawe. 31. H. 8. 1.

Jointtenants for life or peeres

4 ¶ All Jointtenantes, and tenants in common, and euery of them, which holde ioyntly or in common for terme of life, peere, or peeres, or ioyntenantes or tenants in common, where one or some of them haue estate or estates for terme of life or peeres, with the other that haue estate or estates of inheritance or freeholde, in any manors, landes, tenements, or hereditaments, shall and may bee compellable by writ of Partition, to be pursued out of the Chaucerie, vpon his or their case, to make partition of al such lands &c. which they hold ioyntly or in common, for terme of life or liues, peere or peeres, where one or some of them holde ioyntly or in common, for terme of life, or peeres, with other, or that haue an estate or estates of inheritance or freeholde. 32. H. 8. 32.

Partition preiudicial to none but which be parties thereunto

5 ¶ But no such partition to bee made by force of this Statute, shall bee preiudiciall to any persons, their heires or successors, other then such which be parties to the sayd partition, their executors or assigns. 32. H. 8. 32.

1. How much the vsurpation of a coparcener vpon his coheire, shall preiudice him in his presentation. S. Auowson 6.

2 In what maner, and betwixt whom partition shalbe made of landes in Gavelkind in Kent. S. Prærogatiue 16.

If any Patten maker within this Realme, doeth make pattens of ^{Pattens of} ~~Aspe.~~ clogges of such part of Aspe timber, which is able and sufficient to be made in shaftes, he shal forfeite to the Q. and J. for every time xl.s. But it is lawfull to the pattenmakers of this Realme, to make pattens of such timber of Aspe that is not apt, sufficient, or conuenient to be made in shaftes. 4. Ed. 4. 9. 4. H. 5. 3.

¶ Patentes.

The day of the deliuey of euery warrant sent by the Queene, or her heires, to the Chaunceloz of England, shalbe entred of record in the Chauncerie. And the Chaunceloz shall cause letters patentes to be made vpon the same warrant, bearing date the day of the sayd deliuey in the Chauncerie, and not before. And if any letters patentes be made to the contrary, they shalbe voyde. 18. H. 6. 1.

Letters patentes shall beare the date of the deliuey of the warrant.

2 **I**f any person do make suite to the Queene for any landes, tenementes, offices, or any other thinges, by her grace graunted, or to be graunted to any person during her pleasure, the first patentee then being in life, he shall expresse in the sayde bill of petition or patent, the tenor of the sayd former patent, and that the Queene hath determined her pleasure against the said first patentee, or else the seconde letters patentes of any of the premisses to any person to be graunted, shall be voyde. 6. H. 8. 15.

Patentes of landes &c. granted to others during pleasure.

3 **A**swell all and singular letters patentes, indentures, and other writinges, sealed vnder the great seale of England, or vnder the seale of the Duchie of Lancaster, or the seale of the Countie palatine of Lancaster, and heretofore made or graunted by our soueraigne Ladie Queene Elizabeth, sithence 18. Nouemb. Anno 1. of her raigne, for any summes of money, or for any other considerations, as all other letters patentes hereafter to be made by our sayde Soueraigne Ladie, for any summe of money, or other considerations, during seuen peeres next ensuing the making of this act (being 15. die Marcii. An. Do. 1575.) to any body politique or corporate, or to any other person or persons whatsoeuer, of any honours, castels, manors, lordshippes, granges, meases, landes, tenementes, medowes, pastures, rentes, reuerfions, seruices, woods, aduowfions, nominations, patronages, annuities, rights, interestes, entries, condicions, leetes, courts, liberties, priuiledges, franchises, or of any other hereditamentes, with their appurtenances, or of any part or parcell of them, sealed with or vnder the great seale of Englande, or vnder the seale of the Duchie of Lancaster, or the seale of the Countie Palantine of Lancaster, of whatsoeuer kinde, nature, or qualitie, they or any of them

A confirmati on of the letters patentes of Quene Elizabeth made or to be made.

be, or shalbe reputed, known, or taken, with their appurtenances, or any part or parcell of them, shalbe good, perfect, and effectuell in the law, and shal stand, be taken, and adiudged good, perfect, and effectual in the lawe against the Q. her heires and successours, according to the tenor and effect of the sayd letters patents, the same to bee expounded and iudged most beneficially for the patentees and grauntees of the same, and their assignes, according unto the words, and purport of euery of the sayd letters patentes, without any confirmation, license or tolleration of the Q. her heires or successours, any misnaming, misrecitall, or non recitall of any the same honors, castles, manors, landes, tenements, and other the premisses, or of any parcell thereof, or any lack of finding of offices, or inquisitions, of, and in y premisses, or any parte thereof, whereby the title of the Q. therein ought to haue ben found, before the making of the same letters patents, or other writings, or any misrecitall, or non recitall of leases thereof before made, aswell of recorde as not of recorde, or any lacke of the certayntie, miscasting, rating, or setting forth of the perely value and rate of the premisses, or of the perely rents reserued, of, and for the premisses, or any parcell thereof, mencioned or contayned in any of the sayde letters patents, or other writings, or for that the premisses bee, or any part thereof is valued to a more or lesse value in the said letters patents or writings, then the sayd lands, and other the premisses then were, or shall bee in perely value, or any misnaming, or not true naming of the townes, hamlettes, parishes, or counties, where the same landes, tenementes, rents, hereditaments, and other the premisses, and euery parcell, or any parcell thereof lyen or ben, or any lack of the true naming of y lands, tenementes, or hereditaments, or of the natures, kinds, sorts, qualities or quantities of the sayd possessions, or hereditamentes, or any parcell thereof, or any lacke of the true naming of the corporation, or any lack of y atturment, liuery, or seisin, or of any misnaming of any of y late tenants, or fermors of the same honors, manors, landes, tenementes, & hereditaments, or any part thereof, so solde, graunted, or giuen, notwithstanding. 18. El. 2.

The answere
for y ouerplus
of lands gran-
ted by the Q.
patent.

4 **A**ll & singular such patentees, grantees, and donees, & euery of them, which at any time heeretofore sithence the sayde eyghtheene day of Nouember, in the first yeere of the Queenes raigne, haue obtayned of our soueraigne Ladie the Queene, or at any time after the session of Parliament ended (xv. Mar. Anno Dom. 1575.) during the space of vii. yeeres, shall obtayne of her Maiestie by way of exchange, or for any summe of money, or other considerations, any letters patentes, of any manors, landes, tenementes, or hereditamentes, which

which at the date and making of the same letters patents were or shall be at the time of making such letters patents, of better & more yerely value to the Queene, and so answered in yerely rent and ferme, then was, is, or shall be contained and specified in any such letters patents, or in the particulars or rate thereof, made, or to be made by any Auditor, surueyor, and other officer, then euery such patentee, grauntee, or donee, their heires, executors, or assignes, and euery of them within one yere next after office, or other due ppoofe, order, and decree thereof to be made within ten yeres next after xv. Mar. An. Dom. 1575. in the Eschequer, shall pay vnto the Queene, her heires and successors, for the same ouerplus of the same lands &c. so solde, giuen, graunted, or exchanged, after the rate of ix. yeres purchase, and according to such yerely value and rate, as the same lands, tenements, and other hereditaments were and answered at the time of the making of any such letters patents so made or to be made, in maner and forme aforesayde, any thing contained in any such letters patents &c. notwithstanding. 18. El. 2.

¶ 1. yeres purchase.

5 But this act shall not extende to confirme or make good any lease or leases, made or to be made by the Queene, for terme of lyfe, liues, or for yeares, whereupon the olde and accustomed rentes or more be not, or heereafter shall not bee reserved, and yerely payable during the tearme of euery such lease: Nor this acte shall extende to reuiue or make good any letters patentees made of any office or offices to any Comptroller, Customer, Aulneger, Searcher, Nor to any letters patents of the graunt of any other office or offices, heretofore made by the Queene, which now be, or at any time heretofore haue bene determined, or made byde by iudgement, by authoritie of Parliament, or by decree: Nor to any patents to be made to any person for terme of yeres, or during the minority of any heire, of any manors, landes, or tenements, whereof any trauesse shall be tended, within thre moneths after any office founde, and certified vnto any the Queenes courtes of recorde. Ne to make good any letters patents made by our sayd souereigne Ladie of any office to be of any other effect then the same letters patents were or should haue bene, before the making of this acte. Neyther shall it extende to any letters patents, which at any time heretofore, sithence the beginning of the Queenes Raigne hath bene, or hereafter shall be made by the Queene to any person of any manors, landes, tenements, rents, reuerfions, seruices, or other hereditaments, by force of any information, suit, or suggestion made or to be made to her Highnesse, that the same landes &c. so conteyned in any such letters patentees, were concealed landes.

Patentees or grantees wherunto this stat. extendeth not.

Patentees of lands wherof a trauesse is tended.

Patents of offices.

Patents of concealed lands.

But the same letters patents, and euery of them, shall remaine and be in the same force & effect, as they were before the making of this act. 18. El. 2.

6 **S**auing to all other persons, and bodiees politique and corporate, their heires and successors, and euery of them, all such right, title, interest, possession, estate, leases, rents, seruices, commons, and all other profits and commodities whatsoever, as they or any of them should or might haue had, before the letters patents thereof made, if this act had neuer bene had ne made. 18. El.

A confirmati-
on of all assu-
rances made
to the Q.

Other mens
right saved.

7 **A**ll feoffements, fines, surrenders, assurances, conueyances, and estates, had or made, to or for our soueraigne Lady Q. Elizabeth sithence 18. Nouemb. An. 1. of her raigne, or to bee made at any time during vii. yeres (next after the end of this Parliament being 15. die Mar. Anno Dom. 1575.) by any person, body politique or corporate, of any lands, tenements, rents, and other hereditaments, for any debt, summe of money, or other consideration whatsoever, shal be good and auailable in the lawe, to all intents, according to the true meaning of the same. **S**auing to al and euery person and persons, & their heires, bodiees politique and corporate, and their successors, (other then such person and persons, their heires and wiues, being parties or priues to such conueyances &c. bodyes polit. or corporate, and their successours &c. of whome the Q. hath obtayned or purchased, or shall obtayne or purchase during the sayd vii. yeres, any lands, &c. by exchange, gift, bargaine, or otherwise) all such right, title, interest, vse, possessions, rentes, reuerfions, remaynders, offices, fees, commons, profits, and commodities whatsoever, which they or any of them haue, might, or ought to haue had, of, in, or to the premisses or any part thereof in as ample maner, to all intences, as if this act had neuer beene made. 18. El. 2.

A confirmati-
on of the pa-
tents of king
H. 8.

Lands assured
to king H. 8.

8 **A**n. 34. & 35. H. 8. 21. The like stat. was made confirming al letters patents, indentures, and other writings made, or granted to any person or persons &c. by the sayd king vnder þ great seale of Eng- lande, the seale of the Duchie of Lancaster, or the seale of the Court of augmentations, sithence 4. of Febr. Anno 27. H. 8. vntill 12. Marti. Anno 35. of his reigne, & to be made vii. yeres after, notwithstanding any misnaming, mispision, misrecitall &c. vt supra, And also confir- ming all exchanges, fines, feoffements, recoueries, deeds inrolled &c. made within the foresayd time, by any persons to the sayd king, of any landes, tenementes, or hereditamentes &c. notwithstanding any misrecitall, misnaming, non recitall, or not naming of any the sayde lands, &c.

9 **C**An. 1. Ed. 6. 8. The like stat. was made, confirming al letters patents, indentures, and other writings made or granted, to any person or persons &c. by the said K. vnder any of the foresaid three seales, sithence 28. Jan. An. 1. Ed. 6. and to bee made during the said K. life, notwithstanding any misnaming, misrecitall &c.

A confirmati
on of the pa
tents of king
Ed. 6.

10 **C**An. 7. Ed. 6. 3. A stat. was made, confirming all letters patents, made by the king H. 8. sithence 4. Feb. An. 27. of his reigne, & by king Ed. 6. sithence 28. Jan. An. 1. of his reigne, of bargaines and sales, giftes, exchanges, &c. notwithstanding the lacke or losse of the particulers, or the bill assigned of the patents, and notwithstanding the nonage of the saide king Ed. 6. as Duke of Lancaster, or any act, stat. or lawes, for or concerning any tenures or reservations of rents or tenths to the contrary &c.

A confirmati
on of the pa
tents of king
H. 8. and king
Ed. 6.

11 **C**An. 4. & 5. H. 8. 1. A statute was made, confirming all letters patents, Indentures, and other writings made by the sayd K. and Queene, or by the said Queene, vnder the great seale of England, or the seale of the Duchie of Lancaster, sithence 7. Jul. An. 1. H. 8. vntill 7. Mar. Anno Dom. 1557. and to bee made by the sayd King and Queene, during vii. yerres after the sayd seuenth day of March, notwithstanding any misnaming, misrecitall &c. vt supra. And also confirming all feoffements, fines, surrenders &c. made within the foresaid time by any person, body politique, or corporate, to the sayd King and Queene, or to the sayd Queene, of any landes, tenements, or hereditaments.

A confirmati
on of the pa
tents of king
H. 8. & M. 1. & 2.

12 **E**uery person to whom the Queene shall grant the custody and wardship of any of her wardes, shall vpon his bill assigned thereof, sue forth his patent within 4. monethes next after the assignment of the sayd bill, or els the same bill, and the effect thereof shall be utterly void. 32. H. 8. 46. And euery person to whome the Queene shall graunt any liuerie, to be sued vpon his bill assigned thereof, with the Q. hand, or with the hands of the officers of her Court of Wardes & Liueries, shall sue forth his patent within iii. moneths next after the assignment of the sayd bill, or els the same bill, and the effect thereof shall be utterly void. 33. H. 8. 22.

Within what
time a patent
shal bee sued
forth of a
wardship or
liuerp.

13 **I**f a Patent bee made to any person, of landes seysed into the Queenes handes vpon an Enquest taken before an Escheator or Commissioner, or any of the same landes letten to ferme by any of the Queenes officers, vntill the same Enquest be returned into the Chauncerie or Eschequer, and that the landes haue remained in the Queenes handes, vntill such Enquest be returned and one moneth after, the patent shall bee voyde, except such as doe finde them selues

A patent of
lands seysed
vpon an
Enquest
taken before
an Escheator.

grieved by the same Enquests doe come into the Chauncerie within thre monethes after the same office put into the Chauncerie, or Eschequer, & doe offer to trauerse the Enquest, & to take the same lands to farme, shewing good euidence, prouing their trauerse to be true, to whome the landes shall bee let to farme, to holde vntill the issue vpon the same trauerse be found or the Queene, or the partie finding sufficient suertie to pursue the sayd trauerse with effect, and to pay to the Queene y^e rent if by right it be hers. And then all other patents made thereof within the thre moneths shalbe voyde, 36. Ed. 3. 13. 8. H. 6. 16. 18. H. 6. 6. 1. H. 8. 10.

1 Wherein an Affise doth lye against the Queenes patentee, See Affise 5.

2 That a Patent graunted of the office of a Sherife or vndersherife, in fee, for life, or yeres, shalbe voyde. S. Sherife 4.

3 That Knights fees, aduowfions, and dowers doe not passe by patent without speciall words, S. Prærogatiue 15.

4 How long a patent made to an Escheton for that office shal endure, S. Escheton 8.

5 Of what offices there shalbe no estate graunted by patent, but the Officers shalbe remouable. S. Officers 3.

6 That a patent made to a Vitailer to bee a Purueyor for the Q. cariage is voyde, S. Purueyour 12.

7 What things shalbe put in euery patent graunted, to make an Alien Denizen. S. Aliens 15.

8 That an Exemplification of patent shall bee of the same force that a patent is. S. Exemplification 1.

9 Where a patent may be made void, by being retained, wearing the liuery, or doing seruice to another, S. Liuary, 7. 8.

¶ Periurie.

Procuring
wilfull per-
iurie.

EUery person, which shall vnlawfully and corruptly procure any witnesse by letters, rewardes, promises, or by any other sinister or vnlawfull labour, or meanes, to commit any wilfull and corrupt periurie in any matter, or cause, depending in suit and variance, by any writ, action, bill, complaint or information, in any wise concerning any landes, tenements, or hereditamentes, or any goods, cattels, debts, or damages, in any of the courts of Chancerie, Starre chamber, Whitehall, or in any other of the Queenes courts of recorde, or in any leete, viewe of franke pledge, or lawday, auncient demesne, court hundred, court baron, or in y^e court or courts of the Stanery in the countie of Deuon and Cornwall, or shal vnlawfully & corruptly procure

procure or suborne any witnes, which shalbe swozne to testifie In
pertuam rei memoriam: Then euery such offendoz shall for his sayde
offence being thereof lawfully conuicted or attainted, forf. xl.li. to the
Queene & partie greued &c. that wil sue by A. J. &c. wherein no W.
E. P. J. &c. And if it happen any such offendoz being so conuicted &c.
not to haue any goods or cattelles, lands, or tenements, to the value of
xl.li. then he shall suffer imprisonment one halfe yere without baile or
mainprise, and stande vpon the pillozie one whole hower, in some
market towne, where, or next adioyning to the place where the of-
fence was committed, in open market there. And no person being
so conuicted &c. shall be from thenceforth receyued as a witnes to bee
deposed in any court of recorde, within any of the Queenes domini-
ons of Enland, Wales, or the marches of the same, vntill the Judge-
ment giuen against him, shall be reuersed by attaint, or otherwise, and
vpon euery such reuersal the partie greued shall receiue his damma-
ges against all & euery such person & persons, as did procure the sayd
Judgement so reuersed to be first giuen against him by accion, to be
sued vpon his case, according to the course of the common law. 5. El.
9. 27. Eliz. 11. S. Maintenance. 4.

4 ¶ If any person either by the subornation, vnlawfull procure-
ment, sinister perswasion, or meanes of any others, or by his owne
acte, consent, or agreement, shall wilfully and corruptly commit any
maner of wilful periurie by his deposition in any of the courtes be-
fore mencioned, or being examined Ad perpetuam rei memoriam,
then he being thereof duely conuict or attainted, by the lawes of this
realme, shall for his said offence forf. xl.li. to the Q. and P. greued &c.
that will sue by A. J. &c. wherein no W. &c. E. P. J. &c. and shal haue
vi. monethes imprisonment, without baile or mainprise, and his othe
from thenceforth shall not be receiued in any Court of recorde &c. vntil
the Judgement giuen against him shall be reuersed by attaint or o-
therwise. And vpon euery such reuersal, the partie greued shal reco-
uer his damages against all and euery such person & persons, as did
procure the said iudgement so reuersed, to be giuen against him, by
action to be sued vpon his case &c. And if the sayd offendoz haue not
any goods or cattels to the value of xl.li. then he shalbe set on the pil-
lozie in some market place, within the shire, citie, or borough where
the sayde offence shalbe committed, by the sherife or his ministers, if it
be without any citie, or towne corporate. And if it be within any citie
or towne corporate, then by the head officer or officers of the same
citie &c. or by his or their ministers, and there shal haue both his eares
nailed, and from thenceforth be discredited and disabled for euer to be
swozne

Committing
wilfull periur-
ie.

sworne in any of the courts of record aforesayd, vntill the Iudgement shalbe reuerſed, and thereupon shall recouer his dammages in maner and forme before mencioned. 5. El. 9. 27. El. 11.

Periury committed in any ecclesiasticall Court.

3 ¶ But this act doth not extend to any ecclesiasticall court within England, Wales, or the Marches of the same, but every such offender, as shall offend in forme aforesayd, shall & may be punished by such ordinarie lawes, as heretofore hath bene, and yet are vsed in the sayde ecclesiast. courtes. 5. El. 9. 27. El. 11

Periurie punishable in the Starre chamber and other courts.

4 ¶ Aswell the Iudge and Iudges of every such court where any such suit shalbe, whereupon any such periurie shall be committed, as also the Iustices of assise, & gaole deliuerie, and y^e Iustices of peace at their quarter sessions, haue power to enquire of, heare, & determine all the offences committed contrary to this act by inquisition, presentment, bill, or information. And the Iustices of assise of every circuite within this Realme and els where within the Queenes dominions, shall in every Countie within their circuits, two times in y^e pere, that is to say, in the time of their sittings, make open Proclamation of this Statute, or of the effect thereof, to the intent that no person shall be ignorant of the penalties herein contayned. But this statute doth not restraine the power giuen by a stat. made An. 11. H. 7. 25. to the Lord Chauncelour and others of the Queenes Counsel, to examine and punish riots, routes, heynous periuries, and other offences (which haue vsed to heare and determine such matters, in the Starre Chamber at Westminster,) nor to restraine the power of the Lorde President and Counsel in the Marches of Wales, or in the North, nor of any other Iudge hauing absolute power to punish periurie, before the making of this statute. But every of them shall and may proceede in the punishment of all offences, heretofore punishable, in such wise, as they might haue done & vsed to do before y^e making of this act, to all purposes, so that they set not vpon the offenders lesse punishment then is contayned in this act. 5. El. 9. 27. El. 11. to continue vntill the ende of the next parliament nowe next ensuing. S. Iustices of peace. 23.

1 Where, in what cases, and in what maner periurie shalbe punished by attaint, S. Attaint.

¶ Pewter, Brasse, Pewterers.

Pewter shalbe solde in faires and markets, and in the owners house onely.

N O person or persons using the craft of Pewterers and Brassers, shall sell or change any pewter or Brasse, new or olde, at any place within this realme, but onely in open faires, markets, or in their owne dwelling houses, but if they be desired by the buyers of such wares,

wares, vpon payne of forf. for euery such default to the Q. & to him þ wil seise, or present the same, or þ will sue for the same by A. J. & c. x. li. wherein no W. C. P. & c. 19. H. 7. 6. 4. H. 8. 7. 25. H. 8. 9.

2 ¶ If any person either worke or cast any pewter vessel or brasse at any place within this realme, except it be as good fine metall as is the pewter & brasse cast & wrought after þ perfect goodnes of þ same, within the Citie of London, and by the statutes of the same ought to be, he shal forf. to the vse of the Q. and the finder thereof, or of him that will seise or sue for the same by A. J. & c. al such pewter & brasse so cast and wrought of worse pewter & brasse & c. But this forfaiture shal not extend to brasse or pewter being in the possession of any person, other then the workers of the same, or such as haue the same to sell, or being of the crafts & c. 19. H. 7. 6. 4. H. 8. 7. 25. H. 8. 9.

Of what goodnes pewter & brasse vessel ought to be.

3 ¶ No person shall make any hollowe wares of pewter, viz. Salts and Pottes that are made of pewter, called lay mettall, but that it be after the assise of pewter lay mettall wrought within London. And the makers of such wares, shall marke the same with seuerall markes of their owne, to the intent that they shall auowe the same wares by them wrought, & all such wares not sufficiently made and not marked in forme aforesaid, found in the possession of the same maker, or seller, shall be forfaited. And if the same ware bee solde, the maker shall forfait to the vse of the Queene, and of the finder, or searcher, or of him that will seise or sue for the same by A. J. & c. the value of the same ware, so vnlawfully wrought and solde, 19. H. 7. 6. 4. H. 8. 7. 25. H. 8. 9.

Hollowe wares.

Marking of vessel.

4 ¶ If any person vsing buying and selling of pewter or brasse do occupie any decepuable, vntrue, or false beames, or weightes of the sayd wares, he shal forf. to the Q. and the partie that will sue, by A. of debt xx. s. wherein no W. C. & c. And also the partie so offending, shall forf. his beame, to him that shal seise it. And if the sayde offendour be not sufficient to pay his sayd summe by him so forf. then it is lawfull to þ Maiors, Baylifes, or other head officers of such places, where any such offenders shall be found, to put him in the stocks, and so to keepe him vntill the next market day, next adioyning, and in the market place to put him on the pilloie all the market time, 19. H. 7. 6. 4. H. 8. 7.

Occupping false beames & weightes about brasse & pewter.

5 ¶ It is lawfull for the master, and wardens of the craft of pewterers within euery City and Borough where such wardens are, and where no such wardens are, for the head officers, or gouernours of the same Citie or Borough, to appoint certaine persons, most expert in knowledge of the same, to make search in the sayde Cities or Boroughs

Searchers of pewter and brasse.

Pewter, Brasse, Pewterers.

Boroughes where they dwell. And the Iustices of peace in every shiere, at their generall Sessions holden at Michaelmas, shall appoint ii. persons hauing experience therein, to make searche in the premisses, in euery part of that shire, aswel within franchises as without (sauing in cities & boroughs, where searchers be appointed by the gouernours of the same.) And all such vnlawfull pewter, or brasse, as the saide searchers shal finde, shalbe to the vse of the Queene and of the sayd searchers. And in default of the said Masters and Wardens of the sayd occupations, not searching in fourme aforesaid, and where by any such vnlawfull metall is cast or made, or vnlawfull weight used, it is lawfull to any person hauing sufficient cunning in the sayde occupations, by ouersight of the Maior, Bailiffes, or head officers of the sayd Cities, Boroughs, and Townes, to search all the said places, and to put the sayd authoritie and act in execution, in forme aforesaid. 19.H.7.6.4.H.8.7.

Searchers of
tinne or pew-
ter vessell.

6 ¶ If any deceiuable woorkemanship of Tinne or pewter, bee found either in chargers, platters, dishes, sawlers, porringers, trenchers, basons, flagons, bottels, pottes, saltsellers, goblets, spoones, cruets, or candlestickes, or any other such wares of Tinne or pewter, whatsoeuer it bee, cast or wrought within this realme, or wythout, and brought to be solde within thys realme, it is lawfull to the Maior of London, and the Masters and wardens of the craft of pewterers of the said citie and their deputies, to haue search of the same within the citie of London, & the suburbs of the same. And in al other Cities, Boroughs, and Townes where any Wardens bee or shalbe, the Maiors, Bailiffes or head officers and Wardens haue lyke authoritie, and where no Wardens bee, then the head Officers, or gouernours of the same Cities, Boroughs, and townes, haue authoritie to appoint certaine persons most cunnyng in knowledge of the same, to make search within the sayde Cities, Boroughs, & townes where they dwell. And if any such newe wares, wrought of Tynne, and Pewter be found defectiue and being in the possession of the seller, then the same person that putteth any such newe wares of pewter to sale, shall forf. the same wares to the Queene, and searchers, or finders, or to him that wil seile or sue for the same by A. J. &c. wherein no W. &c. E. H. &c. But this act concerninig the forfeitures is not preiudiciall to any person hauing the graunt of king H. 8. or of any of his progenitors, by his letters patents, of such forf. But euery of them shall enioy the same, according to their graunts and liberties. 4.H.8.7.25.H.8.9.33.H.8.4.

7 ¶ No person inhabiting within this realme, shall buy or take by exchange

exchange, for other wares, any wares made out of this Realme, of ^{wares of tin} Tinne, or mixt with tinne, as platters, dishes, saucers, pottes, basons, ^{made out of} ewers, flagons, goblets, salts, saltcellers, spoones, or any other thing ^{this realme.} made of tin, or pewter whatsoeuer it be, byon paine of for. (to the vse of the Q. and the finders thereof) of the same wares, in whose handes soeuer it may be found or takē, and also lawfull money currant in this realme, to y^e full value thereof. And it is lawfull to y^e masters & wardē of y^e craft of pewterers within euery citie, borough and towne of this realme where such wardē be, & where no such wardens be, to y^e head officers, or gouernors of the same citie &c. to appoynt diuers persons most expert in knowledge of the same to make searche and seisure of all such wares, as shall be brought contrary to the true intent of thys acte, in whose soeuer possessions any such shall bee found. 25.H.8.9. And if any person do vnlawfully withstand, disturbe, or let the sayde master, & wardens or their deputies, or any of the head officers or gouernours of Cities, Townes or Boroughs, wherein no such master and wardens are, in searching & seising such wares as shalbe brought into this realme contrary to the forme aforesayde. Then euery such person so offending, shall for. for euery time so doing to the vse of the Queene and J. v. li. to be rec. by A. J. &c. wherein no W. E. P. &c. 33. H.8.4.

Withstanding
seisure.

8 ¶ No stranger borne out of this realme shall vse the sayd craft of pewterers, nor worke any maner of vessel, or other ware aforesaid, to be made byon tinne or pewter, within any place of this Realme, byon paine of for. of x. li. to the vse of the Q. & J. to be recouered by A. J. &c. wherin no W. E. P. &c. And also byon paine of for. of the same pewter or tinne so wrought, in whose handes soeuer it may be found, or taken. 25.H.8.9.33.H.8.4.

No stranger
borne shall
worke pewter.

9 ¶ No persons being borne within this Realme, occupping or exercising the said craft of pewterers, shall resort into any straunge regions, or countries, there to teach, or exercise the sayd craft of pewterers, byon paine to loose the priuiledge and benefit of an English man. 25.H.8.9.33.H.8.4.

No pewterer
shall teach or
vse his trade
in a foreigne
region.

¶ Phisitions.

KIng Henry the eyght by his letters patentēs bearing date at Westminster the xxiii. day of Septēber, in y^e x. yere of his raigne, did erect, constitute, ordayne, and appoynt a perpetuall Colledge of graue and learned men, which should openly practyse phisicke, within the Citie and suburbes of London, and within vii. miles euery way round

The phisitions
in London
made a body
corporate.

President of
the Colledge

A common
seale.

Sue and be
sued.

Ordinaries.

A H. Gouver-
nor.

round about the same Citie, And did graunt that al men of the same facultie, of, and in the sayd Citie, should be in deede and name one bodie and a Comminaltie, or Colledge perpetuall. And that the same Comminaltie, or Colledge may perely for ever choose & make of their comminaltie some wise man, & expert in the science of Physicke, to be President of the sayd Colledge or comminaltie, to ouersee, correct, & gouerne for the yere the foresayd Colledge or comminaltie, & al men of the same facultie and their affaires. And that the same President and Colledge or comminaltie should haue a perpetuall succession, and a common seale continually to bee imployed vnto the businesse & vse of the said President and Colledge. And that they and their successors for ever should be persons able, and of sufficient capacity to purchase & possesse in fee & perpetuity, any lands, tenements, rents, & other possessions whatsoever. And y they & their successors might purchase aswel within the City as without, any lands and tenementes whatsoever not exceeding the value of xii. li. by the yere, notwithstanding the Stat. of Dortmaine. And that they by the names of the President of the colledge, or comminaltie of the facultie of phisicke in Londō, may implead and be impleaded before any Iudges, in any courtes or actions whatsoever, And that the foresayd President, & Colledge or comminaltie and their successors may lawfully make honest and lawfull congregations, statutes, & ordinances for the gouernment, ouersight & correction of the said Colledge or comminaltie and of all men practising phisicke, within the sayd Citie & vii. miles round about, as necessitie requireth without impediment of the king his heires, successors, or any of his officers. And that no man in the sayd Citie or within vii. miles compasse thereof, shal practise the said facultie, except he bee admitted thereunto by the saide President and comminaltie, or their successors for the time being, but the letters of y sayd President and comminaltie sealed with their seale vpon paine of C. s. for euery moneth that any which is not admitted, shal practise the foresaide facultie, whereof one halfe to be imployed to the kings vse, and the other to the vse of the President and comminaltie. And that the President and Colledge or the foresaid comminaltie, for the time being, and their successors, for ever shal perely choose fower which shal haue the suruey, search, correction and gouernance, of all the Physitions of the sayde Citie, vsing the facultie of Physicke, within the same citie, and of other foraine phisitions whatsoever vsing the same facultie within y same citie & suburbs, or within vii. miles compas of the same citie, & the punishment of them for their offences, in not well executing, doing and vsing thereof, and also the suruey & search of all manner

ner of Medicines, and their receipts to bee giuen, imployed and vſed by the ſame Phiſitions, or any of them, to any of the kinges Ipege people for the curing and healing of their diſeaſes, as often and when ſoeuer it ſhall be needefull for the profit of the ſame people, ſo that the puniſhment of the ſame Phiſitions vſing the ſaid facultie, ſo offending in the premiſſes, be executed by fines, amerſciaments, imprisonment of their bodies, and by other reaſonable and conuenient wayes. And that neyther the Preſident nor any of the ſayde Colledge of Phiſitions, nor their ſucceſſours, nor any of them practiſing Phyſicke within the ſoreſayde citie, ſuburbes, or els where, ſhall bee ſummoned, or put in Aſſiſes, Iuries, Enqueſtes, Inquiſitions, Attaintes, and other recogniſances taken or ſummoned within the ſayd Citie and ſuburbes, before the Maioꝝ and Sherifes, or Coroners of the ſayd Citie, or any officer or miniſter of theirs, though the ſame Iuries, Inquiſitions, or recogniſances, were ſummoned vpon writs of right. But that the ſayd Maſters, Gouernours, comminalltie, & their ſucceſſours, and euery of them practiſing ſaid facultie, ſhalbe for euer diſcharged againſt the ſayd King, his heires and ſucceſſours, & againſt the Maioꝝ and Sherifes of the ſoreſayd Citie for the time being, and all their officers. In which letters Patents there is a Prouiſo, that the ſayd letters or any thing therein contayned, ſhall not be prejudiciall to the Citie of London, or the liberties thereof.

Not ſummoned in Iuries.

The liberties of London ſaued.

2 ¶ After by the ſtatutes made 14. H. 8. 5. & 1. H. 9. the ſayde corporation of the ſaid comminalltie, & fellowſhip of the faculty of phyſicke, and euery graſtit, article, and other thing contained in the ſaid letters patents, be approued, graunted, & confirmed, and clerely authoriſed, & admitted by the ſame, good, lawfull, auailable to the ſaid body corporat and their ſucceſſours for euer, in as large maner as may be taken, thought, and conſtrued by the ſame.

The Corporation of Phiſitions confirmed.

3 ¶ There ſhall be eight perſons of the ſaid comminalltie, which ſhalbe called Electes, and the ſame Electes ſhall yerly chooſe one of them to be Preſident of the ſayd comminalltie, and as often as any of the Romethes of the ſayd Elects ſhall bee voide by death, or otherwiſe, then the ſurueyours of the ſame Electes, within thirtie or fortie dayes after the death of any of them, ſhall chooſe and admitte one, or moze, as neede ſhall require of the moſt cunning and expert men of the ſayde facultie in London, to ſupplie the ſayde rometh and number of eight perſons, ſo that he or they that ſhall bee ſo choſen, be firſt by the ſayde ſurueyours ſtraitly examined after a forme deuſed by the ſayde Electes, and alſo by the ſayde Surueyours approued. 14. H. 8. 5.

viii. Electors Preſident.

4 ¶ When

Imprison-
ment of offend-
ers.

4 **¶** Whensoever the President of the sayd Colledge &c. or such as the saide President or Colledge shall peereley authorize to search, examine, and punish al offenders in the sayd facultie, within the same Citie and precinct, shal commit any such offender for his offences or disobedience (contrary to any article, or clause contayned in the sayd graunt, or act made 14. H. 8.) to any ward, gaole, or prison within the said citie and precinct (the Tower of London except:) Then the Warden, gailer, or keeper of the prison shall receiue into his prison euery such person so offending as shalbe so committed to him, & there shall safely keepe him at the proper costes of the sayde person so committed without baile or mainprise, vntill such offender be discharged of the said imprisonment by the sayd President, and such persons as by the sayd Colledge shalbe authorized, vpon paine p̄ euery such warden, gailor &c. doing contrarie, shall forfait to the vse of the Q. and the said President and Colledge, the double of such fine & amerciament as such offender or disobedient shalbe assessed to pay, by such as the said president & Colledge shall authorize, so that the same fine and amerciament be not at any time aboue xx. li. to be rec. by A. J. &c. wherein no W. &c. E. P. &c. 1. H. 9.

Whistons
discharged to
be officers in
London.

5 **¶** The President of the sayde comminaltie, and euery fellowe thereof, and their successors shalbe discharged to keepe any watch or ward in the Citie of London, or suburbes of the same. And they nor any of them shalbe chosen Constable, or any other officer in the said citie or suburbes. And if the sayd President or any of the saide fellowes be appointed or elected to any watch, or warde, office of Constable, or other office within the said citie or suburbes, the same appointment or election shalbe voide. 32. H. 8. 40.

Euery phisiti-
on shalbe al-
lowed by the
Bishop of the
Dioces.

6 **¶** No person out of the Citie of London, and precinct of vii. miles of the same (except he hath bene approued in the same) shal take vpon him to exercise and occupie as a phisition in any dioces wthin this realme, but if he hath bene first examined and approued by the Bishop of the same dioces, or (he being out of the dioces) by his vicar general, either of them calling to them such expert persons in the said faculty, as to them shall seeme good, and giuing their letters testimonial vnder their seale to him that they shall so approue, vpon paine of forfe. for euery moneth that he doth occupie, not examined and approued v. li. to the vse of the Q. & J. to be recouered by A. of debt, wherein no W. P. &c. But this act is not preiudiciall to either of the vniuersities of Oxford or Cambridge, or to any priuiledges graunted to them. 3. H. 8. 11. And in the same statute it was further enacted that no person within London or vii. miles compasse, should occupie as a phisition except

except he be first approued, and admitted by the Bishop of London or the Deane of Bowles, calling to him iiii. Doctors in phisicke, But S. 1. & 2. Quare.

7 ¶ No person shall bee suffered to practise in phisicke throught England, untill hee bee examined at London by the president of the Colledge of the facultie of Phisicke, and iiii. of the Electes, and hath from the sayde President or Elects letters testimonials of their approving and examination, except he be a Graduat of Oxford or Cambridge, which hath accomplished all things for his forme without any grace. 14. H. 8. 5.

8 ¶ The President for the time being, commons & fellows of the fellowship of the facultie of Phisicke in London, & their successors, may perely elect iiii. persons of the sayde fellows of the best learned, wisest and most discreete, and the sayde iiii. persons so elected after a corporall othe to them ministred by the sayd President or his deputie, haue auctoritie as often as they shall thinke conuenient, to enter into the house of all and euery pothecary vsing the misterie of a pothecary within the said citie, only to search, view & see such pothecarie wares, drugges, and stufte, as the said pothecaries or any of them haue in their houses, and all such wares, drugges, and stufte as the sayd iiii. persons shall then finde defectiue, corrupted, and not meete to be ministred in any medicines for the health of mans body, the same iiii. persons calling to them the Wardens of the sayde misterie of pothecaries within the sayd Citie, or one of them, shall cause to be burned, or otherwise destroy the same, as they shall thinke meete. 32. H. 8. 40. But if the said Warden, or Wardens doe refuse, or delay his or their comming thereunto forthwith when the sayde President or iiii. of his Colledge elect doe call vpon him or them: then the sayde Phisitions may and shall execute that search and view, and the due punishment of the pothecaries for any their euill and faultie stufte, without the assistance of any of the sayde Wardens. 1. H. 9. And if any of the sayd pothecaries at any time doe obstinately or willingly refuse, or deny the sayd iiii. persons to enter into his house, for the causes before rehearsed, then for euery time that he doth so offend, he shall forfeit to the Queene & A. v. li. to be recouered by A. J. & c. wherein no W. & c. E. & c. 32. H. 8. 40. And euery such person as will resist such search, shall forfeit. x. li. to the Q. and the saide President and Colledge, to be recouered by A. J. & c. wherein no W. & c. E. & c. 1. H. 9.

9 ¶ If any of the said iiii. persons so elected, do refuse to be sworne, or after his othe to him ministred, doe obstinately refuse to make the sayde search once in the yeere, at such time as they shall thinke conuenient,

Quere.

Euery phisition shall be allowed by the President and these Electes.

iiii. phisitions shall search pothecaries wares.

Electes refusing to be sworne, or to make search.

nient, hauing no lawfull impediment by sickenes or otherwise to the contrary, then for euery such obstinate default, euery of them making default, shall forf. xl. s. 3 2. p. 8. 40.

Other magistrates shall assist the phisitions.

10 **A**ll Iustices, Maiors, Sherifes, bailifes, constables & other ministers and officers within the Citie and suburbs of London, and vii. miles compasse of the said Citie, vpon request to them made, shall ayde and assist the President of the sayd Colledge, and all persons by them from time to time authorised, for the due execution of the foresaid statute 14. p. 8. & 32. p. 8. vpon paine for not giuing of such aid, helpe, and assistance to runne in contempt of the Queenes maiestie, her heirs and successors. 1. p. 9.

1 That no Phisitions may practise surgerie, S. Surgeons. 2.

¶ Piracie.

Trial of offences done within the Admirals iurisdiction.

All treasons, felonies, robberies, murders, and confederations, committed vpon the sea or in any other hauen, riuer, creeke, or place where the Admiral hath, or pretendeth to haue iurisdiction, shall be inquired, tried, heard, determind, and iudged in such shires & places in the realme, as shalbe limitted in the Queenes commission, or commissions to be directed for the same, in like forme as if any such offences had bene committed vpon the land. And such commissions shall be had vnder the great Seale, directed to the Admirall, or his lieutenant, and deputie, and to iii. or iiij. such other as shalbe appoynted by the Lord Chauncelor, as oft as neede shall require to heare and determine such offences after the common course of the lawes of this lande vsed for treasons, felonies, robberies, murders, and confederacies of the same committed vpon the land within this realme. 28. p. 8. 15. S. Treason. 13. That the triall of treason shall bee according to the due course of the common law. Et ideo quare.

Quare. The commissioners authority.

2 **S**uch persons to whom such commissions shalbe directed, or iiij. of them at the least, shall haue power to enquire of such offences, by the othes of twelue good and lawfull inhabitants in the shire, limitted in their commission, in such maner, as if such offences had bene committed vpon the land, within the same shire, euery indictment founde and presented before such commissioners of any treasons, felonies, robberies, murders, manslaughter, or such other offences committed vpon the seas, or vpon any other hauen, riuer, or creeke, shalbe good and effectuell in the law: And if any person happen to bee indicted for any such offence done vpon the seas, or in any other place aboue limitted, then such order, proces, iudgement, & execution shalbe vsed, and made to and against euery such person so indicted, as against traitors,

traitors, felons, and murderers, for treason, felonie, robbery, murder, or other such offences done vpon the land. And the tryall of such offence (if it be denyed by the offendor) shalbe had by twelue lawful men inhabiting in the shire limited within such commission, and no challenge to be had for the hundred. And such as shalbe conuict of any such offence by verdict, confession, or proces, by authoritie of any such commission, shall suffer such paines of death, losses of landes, goods and cattels, as if they had bene attainted and conuicted of any of the sayde offences done vpon the land. An. 28. H. 8. 15.

3 ¶ This act shall not be preiudiciall to any person for taking any vitail, gables, ropes, ankers, or sailles, which he compelled by necessitie, taketh in any shippe, which may conueniently spare the same, so the same person pay out of hand for the same vitaille, cables &c. money or money worth, to the value of the thing so taken, or doth deliver for the same a sufficient Bill obligatorie to bee payed in forme following. viz. if y^e taking of the same things be on this side y^e straites of Harroke, then to be payed within iiii. moneths, & if it be beyond the sayde straites, then to be payed within xii. moneths next ensuing the making of such billes, and that the makers of such billes truely pay the same debt at the day limited within the sayd billes. 28. H. 8. 15.

Things taken
vpon necessitie.

4 ¶ Whensoeuer any such commission for the punishment of any of the offences aforesayd, shall be directed to any place within the iurisdiction of the five portes. Then it shall be directed vnto the Lord Warden of the sayd portes, or to his deputie, and vnto iii. or iiii. such other persons, as the Lord Chaunceloz shall appoynt. And euery inquisition and triall there, of any of the offences aforesaid, shall be made by the inhabitants in the sayd five portes, or the members thereof. 28. H. 8. 15. S. Admiral. 2.

Commissions
directed vnto
the v. ports.

¶ Playes and Games.

N^O person by himselfe, or any other, shall for his gaine or liuing keepe or maintaine any common house, alley, or place of bowling, quoyting, closh, cailles, halfebowles, tennis, dicing, table, or carding, or any other maner of game prohibited by any estatute, or any vnlawful new game nowe inuented, or made, or any other newe vnlawfull game hereafter to be inuented, founde, or made, vpon paine to forfeit. for euery day keeping or maintaining, or suffering any such game to be had, kept, executed, played or maintained within any such house, gardein, alley, or other place, contrary to the forme and effect aforesaid xl. s. And also euery person vsing and haunting any of the said houses and places, and there playing, shal forfeit for euery tyme so doing vi. s. viii. d. 33. H. 8. 9.

Maintenance
of houses for
vnlawful
games.

Playing at
vnlawfull
games.

Placards.

2 ¶ If any person sue for any placard to haue common gaming in his house, contrary to this statute. Then it shalbe contained in the same placard what game shall bee vsed in the same house, and what persons shall play thereat. And euery placarde graunted to the contrarye shall be voyde. And also the partie obtaining any such placard, before he put the same in execution, shalbe bound with sufficient sureties with him by recognisance in the Chauncerie, in a certaine summe to be appoynted by the Lord Chaunceloz, that he shall not vse the sayde placard contrary to the forme thereof. 33. H. 8. 9. But by the statute made An. 2. & 3. H. 8. 9. Euery licence, placard, or graunt, before that time made to any person or persons, for the hauing, maintaining, or keeping of Bowling alleis, Dicing houses, or other vnlawfull games prohibited by the lawes and statutes of this realme, were made voyde.

Persons prohibited to play at vnlawfull games.

3 ¶ No artificer or craftesman of any handicraft, husbandman, apprentice, laborer, seruant at husbandrie, iourneyman, or seruant of artificers, mariners, fishermen, watermen, or any seruingman, shall play at the Tables, Tennis, dice, cardes, bowles, clash, coytting, logatting, or any other vnlawfull games out of Christmas, vnder the paine of twentie shillings to be forfeited for euery time, and in Christmas to play at any of the saide games in their masters houses, or in their masters presence. But it is lawfull to euery master to licence his seruants to play at cardes, dice, or tables, with their master, or any other gentleman repaying to their master, openly in his house, or in his presence, and it is lawfull for euery such seruant for euery time so being licenced as is aforesayd to play &c. 33. H. 8. 9.

Playing by licence.

Bowling.

4 ¶ No person shall at any time play at any Bowle or Bowles, in open places out of his gardeine or orchard, vnder the payne for euery time so offending to forfeit vi. s. viii. d. But it is lawfull to euery noble man, and other, hauing lands, tenements, or other pecerely profits for terme of life, in his owne right, or in his wiues, to the pecerely value of C. li. or aboue, to commaunde or licence his seruants of his house for to play within the precinct of his house, garden, or orchard, at cardes, dice, tables, bowles, or tennis, aswell amongst themselues, as other repairing to the said house, and they so playing by commandement or licence shall not incurre any penaltie contayned in this act for the same. 33. H. 8. 9.

Magistrates may repress vnlawfull games.

5 ¶ It is lawfull to all and euery the Iustices of peace in euery shire, Maiors, Sherifes, Bailifes, and other head officers, within euery Citie, Towne, and Borough, from time to time aswell within liberties, as without, as neede and case shall require, to enter & resort

resort

Robert J. ...

resort into all houses, places, and Allies, where unlawfull games shall be suspected to be holden or used, contrary to this statute: And as well the keepers of the same, as also the persons there resorting & playing to arrest and imprison, and to keepe in prison, until the keepers of the sayd playes and games, haue found suerties to the Queenes vse, to be bound by recognisance or otherwise, no longer to keepe or occupie any such house, play, game, alley, or place. And also the persons there so found, shall in like case be bound by them selues, or els with suerties by the discretion of the Iustices, Maiors, Sherifes &c. no more to play, haunt, or exercise from henceforth, in, at, or to any of the sayd places or games. And all Iustices of peace, Maiors, and head Officers &c. and euery of them, finding or knowing any person using any unlawfull games, contrary to this statute, haue auctoritie to commit euery such offender to warde, there to remaine without baile or mainprise until such time hee bee bounde by obligation to the Queenes vse, in such summe of money, as by the discretion of the sayde Iustices, Maiors, Bailifes &c. shalbe thought reasonable, that he shall not from thenceforth vse such unlawfull games. 33. H. 8. 9.

6 ¶ If the Maiors, Sherifes, Bailifes, Constables, and other head officers within their cities, boroughes, and townes, as well within franchises as without, doe not make due search weekly, or at the furthest once euery moneth, if the case so require, in all places, where any houses, alleys, playes, or places of unlawful games shall be suspected to be had & maintained, and do not execute the statute in al things according to the purport of the same: Then euery such Maior, or other head officer, shall forfeit for euery moneth, not making such search, nor executing the same, xl. s. And all Maiors, Bailifes, Sherifes, and other head officers, shall once euery quarter, make proclamation of this statute in euery market holden within their seuerall iurisdiction. And in like sort shall y^e Iustices of assise, gaole deliuerie, & peace, in their seueral circuits and sessions before them holden, to the intent euery person may haue knowledge of the same. 33. H. 8. 9.

Officers shall make searche where unlawfull games be.

Proclamation of this statute.

7 ¶ Where any forfeiture given by this statute, provided for the maintenance of Artillery and debarring of unlawfull games shall bee founde in any franchise, leete, or lawday, the Lord of the same shall haue the one moitie thereof, and any of the Queenes subiectes, shall haue the other that will sue for the same in any of the Queenes Courtes. And where such forfeiture shall bee founde out of that precinct of any franchise, leete, or lawday, the one moitie thereof shall bee to the Queene, and the other to any of her subiectes that will sue for the same, by A. J. &c. wherein no W. C. P. &c.

Who shall haue the forfeiture.

Poore people.

But al informations, accions, suites &c. that shalbe sued vpon any part of this statute, shalbe comenced within the yeere after the offence committed, or otherwise no aduantage thereof shalbe taken. 32. H. 8. 9.

Poore people.

The helpe and
spede of poore
persōs in suit.

Every poore person which shall haue cause of accion against any other, shall haue by the discretion of the Chaunceloz, writs original, and writs of Subpena, according to the nature of his cause, nothing paying to the Queene for the seales of the same, nor to any person for the writing of the same writs, and the saide Chaunceloz shall assigne such of the Clerkes, which shall vse the making and writing of the same writs, to write the same ready to be sealed, & also learned Counsell and atturueis for the same, without any reward taking therefoze. And after the sayd writs be returned, if it be before the Queene in her bench, the Iustices there shall assigne to the same poore person counsell learned by their discretions, which shall giue their counsell nothing taking for the same. And in likewise the Iustices shall appoynt atturueis for the same poore person, and al other officers requisite to be had for the speede of the sayd suits, which shall do their dueties without any rewardes for their counsels, helpe, and businesse in the same. And the same lawe and order shalbe obserued of all such suits to be made before the Queenes Iustices of her common place, and Barons of her Eschequer, and all other Iustices in courts of record, where any such suites shalbe. 11. H. 7. 12.

Order for the
placing and
reliefe of the
poore.

2 Anno. 14. El. 5. It was enacted, that the Iustices of peace of all the shires of England and Wales, and all other Iustices of the peace, Maiors, Sherifes, bailifes, and other officers of euery citie, borough, ryding, and franchises within this realme, whereof they be Iustices within the limits of their aucthoritie, shoulde immediatly after deuide themselves, and so being deuided, should within euery of their seuerall diuisions and aucthorities, make diligent inquirie of all aged, poore, impotent, and decayed persons, bozne within their sayde deuisions and limits, or which were there dwelling within iii. yeeres next before the sayde Parliament, which liue, or of necessitie be compelled to liue by almes, of the charitie of the people abiding within the limits of their commissions, and should vpon that search make a register booke, contayning the names and surnames of all such aged, decayed, and impotent poore people, as be within their sayde limites, which shall alwayes remayne with the sayde Iustices, or other head officers, or one of them. And when the number of the sayde poore people bee by that meanes truely knowne, then the sayde Iustices, Maiors, and other

Rowland Buller William Buller for

other Officers, shoulde within like conuenient time, appoynt within euery their seuerall diuisions, conuenient places to settle y^e same poore people for their habitations & abidings, if the parish within the which they shalbe found, shall not, or wil not prouide for them. And shoulde also within like conuenient time, number all the sayde poore people within their said seuerall limits, and thereupon hauing regard to the number set downe what porcion the weekly charge towards the reliefe of the sayd poore people will amount vnto, in euery their seuerall diuisions, and that done they should asseſse all & euery the inhabitants, dwelling in euery Citie, Borough, towne, village, hamlet, and place knownen, within the said limits, to such charge, as euery of them shall weekly contribute towards the reliefe of the said poore people, and the names of all such inhabitants taxed, should also enter into the sayd Register booke, together with their taxation, and also shoulde within euery their sayde diuisions, appoynt Collectors for one whole yere, of the said weekly portion, which shall collect the said portion, and make deliuey of so much thereof to the sayde poore people, as the said Iustices, Maiors, and other officers shall appoynt them. And also should appoynt ouerseers of the sayd poore people, to continue for one yere, and if they refuse to be ouerseers, then euery of them to forf. x. s. for euery such default. 14. El. 5. 27. El. 11.

Habitations
for the poore.

Reliefe of the
poore.

Collectors for
the poore.

Ouerseers of
the poore.

3 The Maiors & other head Officers of euery Citie, Borough, or towne corporate, or their sufficient deputies, and the Constables, or tythingmen of euery hundred, rape, and wapentake, within euery the shires in England and Wales, in euery such abiding place within their hundreds and precincts appoynted to settle the poore people in, shall once euery moneth next after the sayde places be inhabited with the sayde poore people, according to the intent of this act, make a search of all the aged, impotent, and lame persons, within the precinct of their iurisdiccions, and al such persons as they shall finde not being borne within that diuision, nor within the sayde Cities, Boroughes, or townes corporate, then shall they presently see them, not there borne, nor dwelling within the sayd iii. yeres, (except Leprous and Bedred people) to be conueyed on horsebacke, cart, or otherwise, as they shall thinke good, to y^e next Constable, and so from Constable to Constable, the direct way, till the sayd person be brought to the place where he or she was borne, or most conuersant, by the space of thre yeres next before, and there to be put in one of the abiding places in that countrey, appoynted for the habitation of the poore, & there to be kept of almes, as is aforesayde, vpon payne of xx. s. to be forfayted by euery officer that neglecting. 14. El. 5. 27. El. 11.

Search and
remouing of
poore persons.

Poorer refus-
ing to be bes-
towed, or de-
parting and
begging.

4 ¶ If any of the sayd poore people, vpon the appoyntment of the said Iustices or other Officers, refuse to be bestowed in any of the said abiding places, but couet stil to hold on his trade of begging, or after he be once there bestowed, do depart and begge, then for y^e first offence he shalbe accompted a vagabond, and suffer as a vagabond in the first degree of punishment, and if he do the second time offend, then he shall be esteemed as a vagabond, and suffer as a vagabond in the last degree of punishment in all points. 14. El. 5. 27. El. 11.

Refusing to be
a Collector for
the poore.

5 ¶ If any person appoynted to be a Collector, as is aforesayde, shal refuse the sayd office, or shall after he hath agreed to it, neglect the same, he shall forf. for euery offence to the vse of the poore of the same place xli. s. to be leuied by distress, or recovered by action, bill, plaint, or information, in any Court of Record, or lordes court, by the high Constables or Tythingmen aforesayde, in which no W. E. P. &c. And if the sayd high Constables shalbe negligent to sue, or shall refuse to sue the sayde Collectors and euery of them, within two moneths next after such refusall or negligence. Then the said high constables or tythingmen shall forf. v. li. to the vse of the poore of the same place, to be sued for, by and in the name of two of the next Iustices of the sayde place, being out of cities, boroughs, and townes corporate: If within, then by the bailifes, head officers &c. of the sayde cities &c. in any Court of Record, or lordes court, by A. J. &c. wherein no W. E. P. &c. And all forf. appoynted to growe by this statute (except the forfeitures of Iustices of peace) shall wholly goe and be employed to the vse of the poore aforesayd, and shalbe leuied by distress, by the discretion of the Iustices of the same countie or two of them, or other head officers aforesayd. 14. El. 5. 27. El. 11.

How the for-
feitures shal
be employed.

Collectors
accompt.

6 ¶ Euery of the sayd Collectors shall make their accompt halfe yerely, of their said collection to ii. Iustices of the peace, dwelling next to the sayd abiding place or places, not being within any Citie, borough or towne corporate, or to the chiefe officers &c. of the sayde Cities &c. when they goe out of their offices, they shall deliuer forth- with vpon their accompts, all such surplusages of their collection, as shall then remaine vndistributed, to be ordered by the sayde Iustices or head officers, vpon payne of xli. If any such collector shall refuse to make his accompt, or neglect the same, by the space of xiiii. dayes after request to him therfore made, then the sayde ii. Iustices or one of them shall commit him to the next gaole of the sayde countie, there to remaine without bayle or maineprie, till he hath made his accompt and deliuerie of all such surplusages, as he hath receiued. 14. El. 5. 27. El. 11.

7 **I**f any person being able to further this charitable worke, will obstinately refuse to giue towardes the reliefe of the saide poore people, or do wilfully discourage others from so charitable a deede, he shal presently be brought before 2. Iustices of the peace, whereof one to bee of the Quorum of the same county, to shew the cause of his obstinate refusal, or wilful discouragement, & to abide such order therein, as the said Iustices shal appoint, if he do refuse so to do, then to be committed to the next gaole of the said shire, there to remaine vntil he be contented with their said order, and do performe the same. 14. El. 5. 27. El. 11.

Refusing to
giue reliefe to
the poore, or
discouraging
others.

8 **I**f any of the said aged and impotent persons, not being so diseased, lame, or impotent, but that they may worke in some maner of worke, shalbe by the ouerseers of their sayde abyding place appointed to worke, if they refuse, then they shalbe whipped and stocked for their first refusal, and for their seconde refusall be punished, as in case of vagabondes in the first degree of punishment. 14. Eliz. 5. 27. Eliz. 11.

Impotent per
sons appoin
ted to worke.

9 **I**f any impotent person hauing a competent allowance prouided for him within his parish, shal notwithstanding without licence wander abroade, loytering & begging, he or she shal for his or her first offence, be whipped, & so returned againe vnto his &c. parish. And if such person shal then eftsoones offend, being so prouided for, then hee shal suffer as a roge in the first degree, and if the said person shal then eftsoones offende, then he shal suffer such paines & forfeitures, as a roge in the second degree ought to doe, and so such further paines & penalties, as by the statute to Roges is limited, which offences shalbe tried, inquired of, heard, and determined, as the like offences of other Roges. 18. El. 3. 27. El. 11.

The poore ha
uing allowace
shall not wan
der abroade
thout licence.

10 **T**hree Iustices of peace, whereof one to be of the Quorum, with the surplusages of the saide collections & forfeitures, (the sayde poore and impotent people satisfied and prouided for) shal in such conuenient places within their shires, as they shal thinke meete, settle to worke the Roges that shalbe disposed to worke, bozne within their Counties, or their abyding for the most part within thre peres, there to bee holden to worke by the ouersight of the sayde ouerseers, to get their liuings, and to bee sustained onely vpon their labour. 14. El. 5. 27. El. 11.

The employ
ing of the sur
plusage of the
collection.

11 **I**t shalbe lawfull to and for the Iustices of peace in their open sessions, or for the most part of them there assembled, within any the counties, cities, or townes, where collection of money cannot presently bee had, as this act appointeth, to graunt licence vnder their hands

Licence to
begge.

Relieving of
those which
haue licences.

Cities of tow-
nes corporate
ouercharged
with poore.

A Citie being
a countie of it
selfe ouerchar-
ged with poore

Money gather-
ed in London,
Conentrie,
Gloucester.

hands and seales, to such and so many of the said poore and impotent, or diseased persons, or to any other persons by the said Iustices assigned for the said poore, to aske, gather, and receiue within such other town, parish, or parishes of the sayde County, as the said Iustices there then shall specially assigne, the charitable deuotion and almes, at the houses of the inhabitants of such townes and parishes, so that they do appoint the said poore so to be relieved onely within the townes and and parishes being within the deuisions of the same Iustices, that so shal giue any such licence or licences. And the inhabitants of euery such parish, to the which such poore or impotent persons shalbe so appointed, shall be bound vnder such paine as to the discretion of the said Iustices &c. shall seeme conuenient to relieue the said poore and impotent persons, in such sort, as the said Iustices there assembled shall appoint, And if any citie or towne corporate, haue in it more poore folkes, then the inhabitants thereof shall be able to relieue, in such case, vpon certificate thereof made, and of the number and names of the persons with which they be so surcharged vnto the Iustices of the peace of the countie, in which such citie, or towne corporate shalbe scituated, at their quarter sessions by two Iustices of peace of the said county, & the Maior, and other head officers of the same city or town corporate, the Iustices may in the same Sessions cause the same poore folkes so certified to be relieved by giuing of licence to begge, or otherwise, in some other places of the said county, out of such city or Towne corporate so surcharged. 14. El. 5. 27. El. 11.

12 ¶ If any Citie or Towne corporate, haue in it more impotent and poore Folkes not able to labour, then the same is able to relieue, and the said city or towne corporate is a County of it selfe, or scituate in one county, and immediatly adioyning to another, in those Cities or townes, the maior or head officers of the same shall make certificate to the Iustices of the counties adioyning, which in their general sessions shall giue licence, and followe the order aboue remembred, according as other Iustices of the Counties in the which any Towne or parish surcharged standeth, are authorized to doe. 14. Elizab. 5. 27. Eliz. 11.

13 ¶ Euery summe of money collected within the City of London, and the liberties of the same, by vertue of this act, shalbe paid vnto the Gouernor of the Hospitall of Christes church, within the sayde citie. And euery summe collected within the Citie of Conentrie and the liberties of the same, by vertue of this Acte, towardes the mayntenance and reliefe of the Hospitall of poore people, erected in the same Citie, shall be paid vnto such Gouernors of the said Hospitall, as shall be

be appointed by the saide Maioꝝ and Aldermen of the sayde Citie &c. And euery summe collected oꝝ payde within the Citie of Gloucester, the liberties and limits of the same, foꝝ the vse and reliefe of the poore, and euery other reliefe which shalbe payable &c. within the sayde citie &c. towarde the reliefe of the said poore, shalbe payde at the only disposition of the President & Gouvernoꝝ of the hospital of Saint Bartholomew. And the said summes shalbe from time to time distributed and bestowed foꝝ the reliefe of the poore of the same iii. seuerall cities, according to the discretions of the foꝝsaide seuerall Gouvernoꝝs. 14. El. 5. 27. El. 11.

14 ¶ No person hauing charge of any voyage in passing from Ireland, oꝝ from the Isle of Man into this Realme, shall willingly transport, oꝝ suffer to be transported into any ship, vessel, oꝝ boate out of Ireland, oꝝ the said Isle of Man into England oꝝ Wales, any vagabond, roge, oꝝ begger, oꝝ any such as shalbee forced, oꝝ like to liue by begging, being boꝝne in Ireland, oꝝ in the Isle of Man, vpon paine to foꝝfait foꝝ euery such vagabond &c. being transported and set on lande in any part of Englande oꝝ Wales xx. s. to the vse of the poore of the same parish in which they were set on land, to bee leuiied by the Collectoꝝs of the same poore, by seisure and selling of any the goods and cattels of the same person, which so shal transport any such vagabond &c. to the value of the same foꝝfaiure, and vpon paine that the same vagabonds, roges, & beggers so set on lande, to bee punished as other vagabonds. And if any such Maniske oꝝ Irish roge oꝝ begger shalbe set on land in any part of England oꝝ of Wales, the same shalbe conueied to the next port, in, oꝝ neere where he was landed, & from thence to be transported at the common charge of the countie where he was set on lande into the parties from whence hee came. 14. El. 5. 27. Eliz. 11.

No roge shal be brought out of Ireland oꝝ the Isle of Man.

Irish roges carried backe againe.

15 ¶ If any person shall finde himselfe griued with any taxation set vpon him by vertue of this act, it shalbe lawfull foꝝ him at the next generall Sessions of peace holden within the same shire where the taxation shalbe, to make complaint thereof to the Iustices of the Bench, and to be eased of his excessive charge, by the discretion of the whole bench, oꝝ the most of them. 14. El. 5. 27. El. 11.

How he shalbe relieved which is griued w any taxation.

16 ¶ No diseased oꝝ impotent poore person liuing on almes, shal repaire from their dwelling places to the Citie of Bathe, oꝝ to the towne of Buckston &c. to the Bathes there foꝝ ease of his grieffe, vnles he be not onely licenced so to doe, by two Iustices of peace of the Countie where he shall dwell and remaine, but also pꝝouided foꝝ by the inhabitants of such hundreds, parishes, oꝝ places, from whence hee

They shalbe licenced which resort to bathe, Buckston.

Poore people.

hee shalbe so licenced to trauell, of such reliefe, for and towarde his maintenance, as shalbe necessarie for him, for the time of his abode at the said Citie, or Towne, to returne home againe, as shalbee limited by the same licence, vpon paine to be punished and vled as a vagabond. And the inhabitants of the same Citie and Towne, shal not bee charged by this act, with the finding or reliefe of any such poore people. 14. El. 5. 27. El. 11.

Disposition of
money giuen
to charitable
vses.

17 **¶** Whereas any person by his lawfull erection, hath appointed any summe of money, rents, reliefes, or commodities to the vse of the poore, or for the repairing of high waies, or bridges, not being taken away by act of Parliament, whether the same bee in any Cathedral Church, Colledge, or els where, the Bishop of the Dioces or his Chancelor, within which the said Cathedral church, colledge or place is, & the Iustices of peace of the countie within the which the said cathedral Church, colledge, or place is, or thre of them, (whereof one to be of the Quorum) haue authoritie from time to time, to examine after what maner the said money, rent, reliefe, or commodie is bestowed, & to call to accompt, the parties which doe retaine the same, and thereupon to take such order, for the distribution thereof, as to their discretions shal seeme most agreeable, to the good intent of the founders, giuers, or graunters, and thereof to make certificat in the Chauncery once euery yere. 14. El. 5. 27. El. 11.

Reliefe of pris
oners within
the gaole.

18 **¶** It shalbee lawfull for the Iustices of peace of euery Shire within this Realme, at their quarter Sessions, or the most part of the being then present, to taxe euery parish within the saide Shires, at such reasonable summes of money, towarde the reliefe of the prisoners being within the common gaoles of the said Shire, as they shal thinke conuenient, so that the said taxation do not excede aboue vi. d. or viii. d. by the weeke out of euery parish. And the churchwardens of euery parish shal euery Sunday leuie the same, and once euery quarter in the yeere, pay to the high Constables, or head officers of euery towne, parish, hundred, riding or wapentake, al such summes of money, as their parish shal be rated, towarde the reliefe of the said prisoners within their parishes. And the said high Constables and head officers, shal pay all such summes of money so to them payed at euery quarter sessions, to such sufficient persons dwelling nigh the saide gaoles, as shal be appointed by the said Iustices to be there ready to receyue the same. And the collectors shal weekly distribute all such summes of money, as euery of them shal receiue for the reliefe of the said prisoners, vpon paine as well the saide Churchwardens of euery parish, Constables and head officers of euery hundred or wapentake,

as

as also the said collectors appointed for the collection and contribution of the said prisoners so making default, to forf. v. li. to the Q. &c. & to the reliefe of the prisoners. 14. El. 5. 27. El. 11.

19 **T**his act shal not extende to the poore people in the kings Hospital in Southwarke, neere adioyning to the Citie of London, but the Mayor, Comminaltie, and Citizens of the said City, shall only haue the gouernement of the said Hospitall, and of the poore people therein, Neither shall this act extende to disinherite or hinder John Dutton of Dutton in the county of Chester Esquire, his heires or assigns, concerning any libertie, iurisdiction, inheritance &c. which hee vseth or ought to vse within the County of Chester, City of Chester &c. by any auncient Charter, prescription, or title. 14. El. 5. 18. El. 3. 27. El. 11.

The kings
Hospital in
Southwarke

Dutton.

20 **I**n euery City & towne corporate within this realme, a competent store and stocke of wooll, hempe, flaxe, Iron, or other stufte by the appointment and order of the Mayor, Bailifes, Iustices, or other head Officers, hauing rule in the said cities or townes corporate (of them selues & all other inhabitants, within their seuerall authorities, to be taxed, leuied, & gathered) shalbe prouided. And likewise in euery other market Towne, or other place within euery Countie of this Realme, (whereto the Iustices of peace, or greater part of them in their generall Sessions yeerely next after Easter, within euery limit shalbe thought most meete) a like competent store and stocke of wooll, hempe, flaxe, yron, or other stufte, as the countrey is most meete for, by order of the said Iustices, (of all the inhabitants, within their seuerall authorities, to bee taxed, leuied, and gathered) shall bee prouided: the sayde stockes and stores in such Cities and townes corporate to bee committed to the custodie of such persons as shal by the head officers (hauing authoritie there) be appointed, & in other towns and places to such persons as the said Iustices of the peace or greater part of them, in their generall Sessions, in their seuerall Counties shalbe appointed, and euery person refusing to pay, or not paying any summe of money vpon him taxed towarde the sayde stockes at such time as hee shalbe appoynted, shal forf. double so much. An. 18. El. 3. 27. El. 11.

A stocke to set
poore people
on worke.

21 **T**he said persons so appointed, shal haue authoritie by & aduice of them who do appoint them, to dispose, order, or giue rules for the diuision & maner of working of the said stocks & stores, who shall be called the collectors & gouernors of the poore, to the intent euery such poore and needy person, old or yong, able to doe any worke standing in necessity of reliefe, shal not for want of worke go abroad either begging,

Collectors and
gouernors of
the poore.

The order, vse,
& employing
of the stocke.

begging, or committing pilfering, or other misdemeanors, living in idleness, which collectors and governors of the poore, from time to time (as cause requireth) shall and may of the same stocke & store, deliver to such needy person, a competent portion to be wrought into yarne, or other matter, within such time, and in such sort as in their discretions shall be limitted, and the same afterwarde being wrought, to be from time to time delivered to the said collectors and governors of the poore, for which they shall make payment to them which worke the same, according to the desert of the worke, & of new deliver more to be wrought, and so from time to time deliver stuffe unwrought, and receive the same againe wrought as often as cause shall require, which hempe, wooll, flaxe, or other stuffe wrought, shall be sold by the said collectors and governors, at such time as they shall thinke meete, and with the money comming of the sale, to buy more stuffe, in such wise as the stockes or store shall not be decayed in value, 18. El. 3. 27. El. 11.

Refusing to
worke, or spoiling
the worke.

22 ¶ If any such person able to doe any such worke, shall refuse to worke, or shall go abroad begging, or live idly, or taking such worke shall spoile, or imbesell the same, in such wise that after monition giuen the Minister and churchwardens of the parish, and collectors and governors of the poore, or the more part of them, shall thinke the same person not meete to have any worke delivered out of the same stocke & store, then upon certificate thereof made vnder their hands, & brought by one of the said collectors and governors, to such person or persons, as shall in the county have the government of one of the houses of correction, in convenient apparel, meete for such a body to weare, hee or she shall be received into such house of correction, there to be straightly kept, as well in diet as in worke, and also shall bee punished, as to the said persons having the government of the said house of correction shall be appointed, 18. El. 3. 27. El. 11.

Houses of correction.

23 ¶ Within every County of this Realme, one, two, or more abiding houses or places convenient, in some market Towne, Corporate Towne, or other place or places, by Purchase, Lease, building or otherwise, by the order of the Justices of Peace, or the more Parte of them in their Sessions, (of the inhabitantes within their severall authorities to be taxed, leuied, and gathered) shall be provided, and called the house or houses of correction, and also stocke and store, and implements shall bee also provided, for setting on worke and punishing not onely of those which by the collectors and governors of the poore for causes aforesaid to the said houses of correction shall be brought, but also of such as shall be inhabiting in no Parish, or shall be taken as rogues or once punished as rogues, and by reason of the uncertaintye of their birth,

birth, or of their dwelling by the space of three yeeres, or for any other cause ought to bee abiding and kept within the same Countie: which said house or houses of correction, with stockes, store and implemētts appointed for such houses, shalbe prouided in euery Countie within one yere next after this present Session of Parliament (if the same conueniently may bee) and if in the sayde time the same cannot conueniently bee, then within such time as to the Iustices of peace or the more part of them, in their general Sessions, in euery county within their seuerall iurisdiction shalbe thought meete, so as it exceede not two yeeres after taxation in such Countie for that purpose made, or else the money leuied to be repayed. 18. El. 3. 27. El. 11.

24 ¶ Every person refusing to pay, or not paying such summe of money towardes the making, obtaining, and furnishing of the sayde houses of correction, & buying of stockes, and for the reliefe of such persons as shalbe appointed to the same, which vpon him shalbe by order aforesaid taxed, and at such time as by the same order shalbe appointed shall for euery default forfait double so much, as he shalbe so taxed vnto. 18. El. 3. 27. El. 11.

Refusing to pay towards the house of correction.

25 ¶ The Iustices of peace in their general sessions, shal and may appoint from time to time persons which shalbe ouerseers of euery such house of correction, which shalbe called Censors, and wardens of the houses of correction, and shall haue the gouernement and order of the same, according to such orders as by the said Iustices of peace, or the more part of them, in their general Sessions shalbe prescribed, and shall also appoint others for the gathering of such money, as shalbe taxed vpon any person within their iurisdiction, towardes the maintenance of the said houses, which shalbe called the collectors for the houses of correction, and if any person refuse to bee collector and gouernor of the poore, or censor and warden, or collector, of, or for any of the houses of correction, he shal forfeit. v. li. 18. El. 3. 27. El. 11.

Censors & wardens of houses of correction.

26 ¶ Every person appointed to be any collector and gouernour of the poore, or censor or warden, or collector for any the houses of correction, shall as often as any of them shalbe called thereunto by the persons hauing the appoyntment of them, make a iust accompt of all such summes of money or other thinges as any of them haue gathered, or raysed in commoditie within their seuerall collections, or charge, & if any of the refuse to make such accompt, or neglect the same by the space of xiii. daies, next after request therfore to him made, or shal not within one weeke after such accompt, pay the whole arrearages which he vpon such accompt shalbe found in, to such person as hee shalbe appointed vnto by them before whom the sayde accompt shalbe

Collectors. The accompt of Collectors Censors &c.

shalbe taken, then hee shalbe committed to any vsuall Gaole within the sayd County there to remaine without bayle or mainprise, till he hath made his accompt and payment of such arrerages, as hee hath receiued: vpon the making of which accompt it shalbe lawfull to such persons as haue the appoyntment of the sayde Censors, Wardens and Collectours &c. to allowe vnto euery of the sayd Collectours, censors, wardens &c. as well such reasonable allowance, for such money as any of them haue disbursed in the execution of the sayde seuerall offices, as also such reasonable fees, and wages for their paynes taken in that behalfe, as to them shalbe thought conuenient. 18. Eliz. 3. 27. Eliz. 11.

How the for-
feitures shal
be imployed.

27 **A**ll forfeitures by force of this act being forfeited, by any person charged with any payment towarde the stocke and stores appointed for the reliefe of the poore, shalbe imployed in the prouision of the stockes and stores, in such places where the money (by the non payment whereof the forfeitures doe growe) was payable. And the forfeitures of al persons being chosen to be collectors and gouernors of the poore, shalbe imployed in the prouision of the stockes & stores whereof they were chosen to bee collectors and gouernors. And all forfeitures made by any person charged towarde the sustentation of any house of correction, and the forfeitures of all persons being, or being chosen to be censors and wardens, & collectors of any house of correction, shalbe imployed in the maintenance and furtheraunce of the said houses of correction, all which said forf. shalbe leuied by distresse & sale of the goods of the offender, as neere as they can to the value forf. by warrant from such persons as haue by reason of their seuerall iurisdictions the nomination of the said collectors, gouernors, censors, and wardens, and the taxation of the sayd persons which shal commit the sayde forf. to any person or persons by them appoynted, to bee directed vpon certificat therof made, and the party called therunto. 18. El. 3. 27. El. 11.

Execution of
these statutes
within the
berge.

28 **I**t shalbe lawfull to the Lorde Stewarde of the Queenes houlsholde, or to the Commissioners within the verge, to haue and vse all such authoritie within the sayde verge, in execution of y^e actes prouided 14. El. 5. & 18. El. 3. for the punishment of vagabonds, and the reliefe and setting on work the poore, as any Justice of peace hath or may haue, or vse els where, within their seuerall shires, according to the limitation of the said statutes. 18. El. 3. 27. El. 11.

The forf. vpon
certaine penal
stat. imployed
to the vse of
the poore.

29 **A**l and singuler forfeitures in any wise limited to come to the Q. for any offence to bee committed against any of those penall statutes which her Maiestie by her Proclamation from time to time for

for that purpose shall appoint, shall be recovered and employed. The one moiety to the use of such person as shall prosecute the same, by A. suit, or J. or by giving of evidence upon indictment and traverse of indictment: And the other moiety to and for the provision and furnishing of the stocks for the poore, and of the houses of correction, in such manner, as by the Justices at the Sessions after Easter next ensuing after such recovery shall be limited, any former penal statute, provision &c. notwithstanding. 18. El. 3. 27. Eliz. 11. to continue to the end of the next Parliament now next ensuing. S. Justice of Peace. 72. 73. 74. 75. 76.

1 That any man may give land holden in Socage, for the maintenance of houses of correction, or for any stocks of poore people, S. Mortmaine 10.

2 That a beggars childe may be taken apprentice, S. Laborers. 31.

¶ Prerogative.

The Queenes Maestie by her Prerogative Royall, shall have the Wardship. Wardship of all their Landes which holde of her in chiefe by Knightes service, whereof the tenants were seised in their demesne, as of fee, the day of their death, of whom soever they holde by lyke service, so that they helde of auncient time any lande of the Q. as of her Crowne, untill the heire come unto his lawfull age, except the fees of the Archbishop of Canterburie, the Bishop of Durham, betwene Tyne and Tees, fees of Earles and Barons of the Marches, of landes in the Marches, where the Queenes wittes do not lye, and wherof the sayd Archbishop, Bishop, Earles, and Barons, haue had the wardship, though otherwise they held of the Queene. Prærog. Regis. 17. Ed. 2. 1.

2 Also she shall haue the mariage of an heire being within age, Marriage. & in her Custodie, whether the land of such heire haue of auncient time bene holden of the Crowne, or that it came by reason of Escheat being in the Q. hands, or that she hath the mariage by reason of the ward of the Lord of such heire, without respect of the Priority of feoffment, although the heire helde of others. 17. Ed. 2. 2.

3 Also shee shall haue primer seysin, after the death of those Primer seisin. which holde of her in chiefe, of all the landes and tenements whereof they were seised in their demesne as of fee, of what age soever their heires be, by taking the issues of the same lands, untill inquisition be made as the custome is, and that she hath received the homage of such heires. 17. Ed. 2. 3. Marleb. 52. H. 3. 16.

M. m. i.

4 Also

The Queenes
widowes.

4 ¶ Also she shall assigne to widowes after the death of their husbands that helde of her in chiefe, the dower that to them belongeth, though the heire be of full age, if the widowes will. And such widowes before assignement of dower shall sweare that they shall not marry without the Q. licence, whether their heire be of full age or not, and if they do marry themselves without the Queenes licence, then the Q. shall take into her hands by way of distress, all such lands as they hold of her in dower, untill she be satisfied at her pleasure, so that the woman shall take nothing of the issues, for after such distresse they or their husbands must make fine to the Q. at her pleasure, which fine in ancient time, was one peres value of her dower, unless she found the greater favour. And also women that holde of the Queene in chiefe, of what age soever they be, shall sweare that they shall not marry themselves without the Queenes licence, and if they do, their lands shall be taken in like maner into the Queenes hands, untill she be satisfied at her pleasure Mag. charta. 9. H. 3. 7. 17. Ed. 2. 4. And the master of the Queenes Wardes and lpyeries by the aduice of the Atturney, Receiver generall, and Auditors of the same Court, or thre of them, haue auctoritie to suruey all the Q. widowes, and to common and conclude with euery of them, which shall marrie themselves without the Queenes licence, for their reasonable fines to be made to the Queenes vse, and to take and asseesse the same by their discretion according to the foresaid statute of Prerog. Reg. 32. H. 8. 46.

Women testaments.

5 ¶ If a woman before the death of her auncester that holdeth of the Q. in chiefe to be married before she be marriageable, then the Q. shall haue the wardship of the body of the same woman, untill she be of age able to consent, and then she may chose, whether she will haue him to whom she was first married, or him that the Queene will offer her. 17. Ed. 2. 6.

Coparceners.

6 ¶ If an inheritance which is holden of the Queene in chiefe do descend to severall coparceners, then all the heires shall do homage to the Queene, and the same inheritance so holden of the Queene shall be deuided amongst these heires in such sort, that euery of them after that shall holde their part of the Queene. 17. Ed. 2. 5. Statut. Hibernia.

Alienation
without licence.

7 ¶ None which holdeth of the Queene in Capite by knightes seruice, may without the Queenes licence, alien the greater part of his lands in such sort, but that the residue may be sufficient, to do his seruice, but this had not wout to be intended of small members and parcels of the same lands. Magna charta 9. H. 3. 32. 17. Ed. 2. 7.

8 ¶ If any which holdeth his lands of the Q. by Sergeantie, doth

doth alien the same without the Q. licence, he shal pay therfore a reasonable fine. 17. Ed. 2. 7. But by the statute. 1. Ed. 3. 12. & same lands shall not be forf. to the Q. by such alienation. And by the stat. 9. H. 3. 31. & 1. Ed. 3. 12. & 1. Ed. 6. 4. He that holdeth of the Queene, as of any honours, castels, manors, lands &c. being in her handes, by reason of any new escheat to the Crowne, or by attainder, conuiction, outlawry, or by dissolutiō of any religious house, or by purchase, doth not hold of her grace in Capite, neither shall he do other seruices, then if the same manors &c. were in other mens hands.

9 ¶ If other men do present to Churches being voyd, the advow-
sons whereof belong to the Q. whereupon debate riseth betweene & the Queene and the others, If the Q. by award of the Court, do recouer her presentation, though it be after the lapse of sixe moneths from the time of the avoidance, no time shall prejudice her, so that she present within the space of vi. moneths. 17. Ed. 2. 8.

10 ¶ The Q. shall haue the custodie of the lands of naturall
fooles, & take the profit thereof, without any waste or destruction. And shall finde to them things necessarie, of whose fees soever the same lands be, and after the death of the same fooles, shee shall render the same lands to the right heires, so that such Ideot shall not alien, nor their heires be disinherited. 17. Ed. 2. 9. The Master of the Queenes wardes and lueries, by the aduice of the Atturney, Recepuer general, and auditors of the same court, or thre of them, hath auctoritie to suruey, gouerne, and orders al Ideots and naturall fooles, and their manors, lands, tenements, and other hereditaments being in the Queenes handes, in the handes of other persons to the vse of any of them, & to let and set the manors, lands &c. to the Queenes vse for the time of her interest, for such rent, and fine, as by their discretion shalbe thought good, the finding and keeping of & said persons, their wiues, and children, and the reparations of their houses & lands alwayes to be considered. 32. H. 8. 46.

11 ¶ Also the Q. shal prouide that whē any that before time hath
had his memorie and vnderstanding, shall become bestraught, and to fayle of his wit, (as certayne doe, Per lucida interualla) that their lands and tenements shall be safely kept, without waste or destruction, and that they and their familie shall liue and be conueniently maintained with the profits thereof, and that the residue besides their maintenance, shalbe kept to their vse, and bee deliuered vnto them when they come to their perfect memorie, so that such landes shall not be leuied, neither shall the Q. take any thing to her owne vse, and if the partie die in such estate, then the residue shall be distributed

Prerogative.

for his sole by the aduice of the Ordinarie. 17. Ed. 2. 10.

Wrecke of the
sea.

12 ¶ The Queene shall haue the wrecke of Sea, through the realme, Whales, and Sturgions take in the sea, or els where, within the Realme, except in certaine priuiledge places. 17. Ed. 2. 11.

Intrusion.

13 ¶ When any person which holdeth of the Queene in Capite dyeth, and his heire doth enter into the land that his auncester helde of the Queene the day of his death, before he hath done homage to her grace, and receiued of her seisin, he shal thereby gaine no freehold, and if he die seised during that time, his wife shall not be endowed of the same land: But this is not meant of Socage and small tenures. 17. Ed. 2. 13.

Escheates in
time of vac-
cation.

14 ¶ The Queene shall haue Escheates of the landes of Arch- bishops and Bishops freeholders, when such tenants be attaynted of felonie, committed in time of vacation whiles their temporalities were in the Queenes handes, to bestowe in what sort it shall please her: Sauing to such Prelates, the seruice that to them is due and accustomed. 17. Ed. 2. 14.

Knightes fees
Aduowsons.
Dowers.

15 ¶ When the Q. giueth or graunteth to any person a manor or land with the appurtenances, without she make expresse mencion in her deede, or writing of Knightes fee, aduowsons of Churches, & dowers, when they fall, belonging to such manors, or lands, then the Q. reserueth to her selfe such fees, aduowsons, and dowers, though amongst other persons, there be no such reseruatiō. 17. Ed. 2. 15.

Felons goods.

16 ¶ The Queene shall haue the goods of all felons which bee condemned, and which be fugitiue, wheresoeuer they be found, and if they haue any freehold, it shal forthwith be seised into the Queenes handes, and the Q. shall haue the profitēs thereof by the space of a yere and a day, and the land shall be wasted and destroyed in the houses, woodes, and gardeines, and in all thing belonging to the same (except men of certaine places priuiledged.) And after the Q. hath had the yere, day, and wast, the land shall be restored to the chiefe Lord of the same fee, vnlesse that before he redeeme the same yere, day, & wast of the Queene, by payment of a fine. But there is a custome in the countie of Gloucester, that after a yere and a day, the lands and tene- ments of felons in that shire, shall reuert and be restored to the next heire, to whome they ought to haue descended, if the felonie had not bene committed. And in Kent, in Gauekind, the father to the Bough, the sonne to the Plough, there all the heires males shall deuyde their inheritance, and likewise women. But women shall not make partticion with men. And a woman after the death of her husband shal bee endowed of the moitie. And if she committe fornication in her

Annum, diem,
& vastum.

Gloucester.

Gauelkind.

widow.

widowhood, or take any husband, she shall lose her dower, Prærogativa Regis, Anno 17. Ed. 2.

17 ¶ No person hath auctoritie to pardon any treasons, murders, manslaughter, or felonies, or any accessaries to the same, or any outlawries for any such offences committed &c. or to make any Justices of Eire, Justices of assise, Justices of peace, or Justices of gaole, delivrie, but onely the Queenes maiestie, her heires and successours, kinges and Queenes of this Realme, which haue the same whole and sole power vnited to the Imperial crowne of this realme, And all such Justices, Officers &c. shall be made by letters patents vnder the Queenes great seale in her name, and by þ^e auctoritie of her, and her heires &c. in all Counties within any of her dominions. 27. H. 8. 25.

None may pardon felonies, or make Justices but the Queene

18 ¶ All original and iudicial writs, and al indictments of treason, felonie, and trespass, and all maner of proces to bee made vpon the same in euery Countie palantine, and other liberties wythin Englande, Wales, or the Marches thereof, shall be made onely in the name of the Queene, and her heires Kinges or Queenes of England. And euery person hauing such Countie Palantine or other libertie to make such originalles, iudicialles, or other proces of Justice, shall make the Teste in the said writs, in the name of the same person or persons that haue such Countie palantine or liberties. 27. H. 8. 25.

All writs made in the Queenes name.

19 ¶ Euery writ and indictment that shall be made within any Countie palantine or libertie, whereby it shall bee supposed any thing to be done against the Queenes peace, shall be made and supposed to be done against the Queenes peace, her heires and successours, and not against the peace of any other person &c. 27. H. 8. 25.

Writs of indictments, contra pacem.

20 ¶ The Queene her heires and successours, kinges or Queenes of this Realme, shall haue all fines, issues, amerciements, and forfeitures, that shall be lost, forfeited, or assessed, by or vpon any Stewards, Bailifes, or other Officers, of any fraunchise or liberties, for non execution, or misexecution, or insufficient returnes of such writs, warrants, preceptes, or other proces, which to any of them or to any their deputies shall be directed, or for any contempt, or other misdemeanour concerning their offices, in and for the due execution or administration of Justice, any graunt, allowance, or other thing &c. notwithstanding. 27. H. 8. 25.

Fines and forfeitures of bailifes and Stewards.

¶ Preacher and Preachings.

If any person of his owne auctoritie, shall willingly, and of purpose by open wordes or dedde, maliciously, or contemptuously disturb, Disturbance of a Preacher in þ^e time of his Sermon.

Preacher & Preachings.

turbe, or by any other unlawfull wayes disquiet or misuse any
 Preacher allowed to preache by the Queene, or by any Archbishop
 or Bishop of this Realme, or by any other lawfull Ordinarie, or by
 any of the Uniuersities of Oxforde and Cambridge, or otherwise
 lawfully authorized or charged by reason of his cure, benefice, or o-
 ther spiritual promotion or charge, in his open Sermon, Preaching,
 or Collation, that he shall preache or pronounce in any Church, Chap-
 pell, or Churchyard, or in any other place used or appointed: Then
 euery such offendour, his aydoers, procurers, or abbettoers, immediat-
 ly after any of the sayde misdemeanours committed, or at any time
 after, shall be arrested by any Constable or churchwarden of the sayd
 parish, towne, or place, where the sayde offence shalbe so committed, or
 by any other officer, or by any other person then beeing present at
 the time of the sayde offence, and carped to any Justice of peace with-
 in the sayde shire, or within any Citie, Borough, libertie, or towne
 corporate, wherein Iustices of peace be, where the saide offence shall
 be so committed, and the sayd Iustices vpon due accusations there-
 upon made by the apprehender, or other person of the offendour, forth-
 with shall commit him to safe keeping, and within vi. dayes immedi-
 atly after the sayde accusation so made, the saide Justice with one o-
 ther Justice of peace within the shire, citie, borough, liberty, or towne
 corporate, shall diligently examine the offence aforesaid, and if the said
 two Iustices shall vpon their examination finde the person so accu-
 sed guiltie of any of the sayd offences, whereof he shalbe accused, & that
 by two sufficient witnesses, or by his confession, then they shall com-
 mit him to the gaole of the sayd shire, citie, borough &c. where the of-
 fence was committed, there to remaine without bayle or mainprise
 by the space of iii. monethes then next ensuing, and further to the next
 quarter Sessions &c. at which Sessions the sayde person vpon his re-
 conciliation & repentance before the said Iustices at the said Sessions,
 shalbe deliuered out of prison vpon sufficient suertie of his good abea-
 ring and behauior, to be then & there taken by the said Iustices for one
 whole yeere then next ensuing, as by the discretion of the saide Iusti-
 ces then & there being, or of the more part of the shalbe thought con-
 uenient. And if the sayd person will not be reconciled & repēt at y^e said
 quarter Sessions, then he shalbe further committed to the saide gaole
 by the sayd Iustices, there to remaine without baile or mainprise, vn-
 till he shalbe reconciled and be penitent &c. 1. B. 3.

Rescuing the
 offendour, or
 disturbing
 the arrest.

2 ¶ If any person or persons of their owne authoritie, willingly
 and unlawfully do rescue any offendour so apprehended, or wil disturbe
 the said offendour to be apprehended, then euery one of the sayde rescu-
 ers

ers or disturbers shall suffer like imprisonment as is aforesaid, & further shall pay for every of his offences v. li. to the D. i. H. 3.

3 ¶ If any of the offenders aforesaid be not apprehended in time convenient, but do escape, then the sayd escape shall be lawfully presented before the Justices of peace at the next quarter sessions &c. and the inhabitants of the parish where the said escape was suffered, shall forfeit to the D. &c. for every such offence v. li. to be levied and taken as other like amerciaments and fines bene levied upon any village, hundred, or towne for the escape of any murderer, or other felon, for not making pursuit upon hue and crie, according to the statute of Winchester and the statute of 3. H. 7. i. i. H. 3.

The punishment of the towne where the offender doth escape.

4 ¶ This act shall not extend to take away the auctoritie and punishment of the Ecclesiasticall lawes standing in force for the punishment of any the offences aforesaid. But they shall be used in every thing as though this act had never bene made, i. H. 3.

Punishment by the Ecclesiastical lawes. But once punished for one offence.

5 ¶ Whatsoever person offending in the premises, shall for any the offences afove recited, receive punishment of the Ordinarie having testimoniall thereof vnder the said ordinaries seale, shall not for the same offence eftsoones be convicted before the Justice, Eteconverso, i. M. i. Par. 3. S. Arrestes i.

¶ Premunire, Prouision.

If any of the Queenes people doe draw any man out of the Realme in suit for any cause, the cognisance whereof pertayneth to the Queenes Court, or for any things whereof there is iudgement given in the Queenes court, or doe sue in any other court to defeat or impeach the Iudgement given in the Queenes court, they shall haue day contayning the space of two monethes by warning to bee given to them, in the place where the possessions be, which bee in debate, or some where els, where they haue landes or other possessions, by the Sherife or other of the Queenes Officers, to appeare before the Queene and her Counsell, or in her Chauncerie, or before her Justices of the one Benche, or the other, or before the other of the Queenes Justices which shall be thereunto appoynted, to answer in their proper persons to the Queene of their contempt in this case committed, and if they come not at the sayd day in their owne proper persons to answer and stand to the law, they, their procuratours, attorneis, executors, Notaries, and maintainors, shall from the same day be put out of the Queenes protection, & their lands, goods, & catels shall be forfeited to the D. and their bodies wheresoeuer they be found,

Premunire by reason of suite in a foraine realme, or in impeching Iudgements given in p. D. Court.

found, shalbe punished at the Queenes pleasure, & a writ shalbe awarded to apprehend their bodies, & to seise their lands, goods, and possessions into the Queenes handes. And if it be returned that they cannot be found, they shalbe put in Exigent and outlawed. But at whatsoever time they will come before they be outlawed, and wil render themselves to the Queenes prison, to be iustified by the lawe, and to receiue that which the Queenes court in this behalfe shall award, they shalbe thereunto receiued, yet shal the forfeiture of the lands, goods & cattels remaine in his force, if they do not peldve themselves within the two monethes as is aforesayd, 27. Ed. 3. 1.

Taking benefices of Aliens.

Conveying of commodities to Aliens.

2 ¶ If any person shall take within England, procuracie, letter of Atturney, ferme or other administration, by indenture, or in other maner, of any person of the worlde, of any benefice within the said realme, but onely of the Queenes liege people of the same realme, without the speciall grace & expresse licence of the Q. by the aduise of her counsel, or if any of the sayd liege people, or other that may be found in the sayd realme shall convey by vertue of such procuracie, ferme or administration, Gold, Siluer, or other treasure, or commoditie out of the sayd realme by letter of exchange by merchandise, or in any other maner whatsoever, to the profite of the said aliens, without the like licence, They shall incur the punishment contayned in the foresaide statute of 27. Ed. 3. And by the same proces comprised in the said statute, shalbe warded in their benefices, or their other possessions within the realme, & if they be out of the realme, & haue no benefices, nor possessions within þ realme where they may be warned, a writ shalbe directed out of the Chaucery to the sherifes of London, or to þ sherife of the countie where they were borne, at þ Queenes suite, returnable into the one Bench or the other, by the which writ commandement shalbe giuen, that proclamation shalbe openly made, that they shalbe before the Iustices in the Bench where the writ is returnable at a certayne day comprised in the sayde writ, contayning the space of halfe a yere, to make answer to the matters comprised in the sayd writ, and this writ being returned, the Iustices shall proceede against them in forme aforesaid, 3. R. 2. 3. 7. R. 2. 12.

No sequestration of Aliens benefices.

3 ¶ No Bishop, or other ecclesiasticall person through þ realme, shall medle by the way of sequestration, or in any other maner with the fruits of such benefices, giuen to such aliens, or to the profit of Aliens, 3. R. 2. 3. 7. R. 2. 12.

No alien shall take a benefice without the Queenes licence.

4 ¶ If any alien doth purchase any benefice of the Church dignitie, or other thing, and in his owne proper person doth take possession thereof, or doth occupie it within the realme, whether it bee to his

his owne vse, or to the vse of any other, without the Queenes speciall licence, he shalbe comprised within the same statute of 3. R. 2. & more-
ouer he shall in all pointes incurre the paines and forfeitures com-
prised in the statute 25. Ed. 3. 22. (prouided against those which pur-
chase in the Court of Rome prouisions, to haue abbeyes and priories
in England) v3. he shalbe out of the Queenes protection, and euery
man may vse him as an enemy of the Queene and the realme. And
whosoever offendeth against him in body, goods, or possessions, shall
be excused against all people, and shall neuer be impeached or grieved
for the same, at any mans suit. 7. R. 2. 12. Sed S. 6. et Quare.

5 ¶ If any persons doe purchase, or pursue, or cause to be pur-
chased, or pursued in the Court of Rome, or els where, any translati-
ons of Bishops, proces, sentence of excommunication, Bulles, In-
struments, or other things whatsoever, which doe touche the Q. or
which be against her, her Crowne and Regaltie, or her Realme, they
which bring the same within the Realme, or doe receiue them, or make
thereof notification, or other execution whatsoever, within y^e realme
or without, their notaries, procurators, maintainors, abbetors, fa-
uourers, and counsellors shall be put out of the Queenes protection,
and their lands and tenements, goods and cattels shall be forfeited to
the Q. And they shall be attached by their bodies (if they may be
found) and brought before the Q. and her counsell, to answer in the
foresayd causes, or els proces shalbe directed against them by Pra-
munire facias 16. R. 2. 5. But to obtaine from the Bishop or Sea of
Rome any maner of Bull, writing, or Instrument written or prin-
ted, containing any thing, matter, or cause whatsoever, or to publish,
or by any meanes to put in vze any such Bull, writing or Instru-
ment, it shalbe adiudged to the offenders, their procuratours, abbet-
tors, and counsellors to the fact, and committing of such offence, high
Treason. 13. El. 2. Rome 2.

¶ By which statute of 13. El. and of certaine statutes made 23. H. 8.
24. H. 8. 25. H. 8. 1. El. 5. El. the force of diuers other old statutes pro-
vided for the punishment of offences by Prouision and Premunire
seeme to be taken away, sauing such which be in other titles of this
Booke expresse, for that the offences which in the sayde olde Sta-
tutes were ordeined to be punished in seuerall manners by Prouision
and Premunire, be now made high Treason, or other punishment
appointed for them by the sayd new statute, or els the vse of them is
wholy extinguished by the dissolution of Monasteries, Abbeyes, Col-
ledges, free Chappels &c. which were suppressed by the Statute of
27. H. 8. 31. H. 8. 13. 1. Ed. 6. 14. Attamen Quare.

Quare.

Bulles or In-
struments fro
Rome.

Treason.

Quare.

No man shall
flea him which
is attainted in
Premunire.

6 **¶** It shall not be lawfull to any person to flea any person in any maner attainted in or vpon any Præmunire by pretence, reason, or authoritie of any Iudgement giuen vpon the same, or of any wordes or things contepned in any statute or law of Prouision and Præmunire, sauing alwayes the due execution of euery person attaynted for any offence wherupon iudgemēt of death ought to be, & sauing euery such payne of death or other hurt or punishment as heretofore might without danger of lawe be done vpon any person that shall sende or bring into any of the Q. dominions, or within the same shall execute any Summons, Sentence, Excommunication, or other proces against any person from the Bishop or Sea of Rome, or the authoritie of the same. See 5. El. 1.

1 Premunire for refusing to take the othe for the Queenes Supream gouernement ouer all estates. S. Queene. 6.

2 Premunire by declaring by booke, woorke, or scroule who ought to be heire or successor to the Queene, being once conuicted of the said offence before. S. Queene 21.

3 Premunire by ayding or comforting an offender which shal affirme that the Q. is an hereticke, Scismaticke, Infidell, or vsurper &c. S. Queene 24.

4 For giuing reliefe to him which shall commit the offence of Premunire. S. Queene 25.

5 Premunire for maintaining or setting forth the authoritie of the Bishop or Sea of Rome. S. Rome 1.

6 Premunire by ayding, comforting, or maintayning any offender after the offence, to the intent to set forth or allowe the power of the Bishop or Sea of Rome. S. Rome 3.

7 Premunire by bringing, deliuering, or receiuing, and vsing any Agnus dei, Crosses, Pictures, Beades, or such like from Rome. S. Rome 5.

8 Premunire for not electing, nor certifying, or not admitting any Bishop elected. S. Bishop 1.

9 Premunire in a Iustice of peace for not certifying the name of him which bringeth any Agnus dei, Crosses, or Pictures. S. Iustice of peace 99.

10 Prouision in spirituall persons &c. within the Archdeaconry of Richmond in Yorkeshire, for taking more for probate of Testaments then is lawfull. S. Probate of Testaments. 14.

11 Premunire for suying of Appeales, or for refusing to obey all things comprised in the statute provided for suying of them. S. Appeales 7.

12 That

12 That Brokers & driuers of bargaines contrary to the Statute of 37.H.8. prouided against vsurie, shalbe punished as Counsellors Atturneys, or Aduocates in case of Premunire. S. Vsurie 7.

13 Premunire for molesting any person for any the landes or possessions of any Abbey, Priorie, Colledge, Chauntrie &c. S. Monasteries 31.

14 Premunire for deliuering or sending any reliefe to a Iesuite, Priest, or other remayning in any Colledge of Iesuities. S. Iesuities 5.

¶ Prison, Prisoners, Gaoles, Gaolers.

The Iustices of peace of euery of the Shires of Essex, Suffolke, Dorset, Susses, Surrey, Nottingham, Gloucester, Bedford and Buckingham, Hunting, Wilt. Kent, Warwike, Stafford, Oxon. Bark. Leicester, Rutland, Lincolne, Hereford, Northampton, Salop, Norfolke, Cornwall, Derby, and Cambridge, and of the counties of Penbrooke, Glamorgan, Cardigan, Radnor, and Mountgomerie in Wales, or the most part of them resiant within euery of the sayde counties, within the limits of their commission, haue full power to appoynt the townes and places, wherein they shall thinke most necessarie to haue a common Gaole newly edified. And to call be fore them at times and places by them to bee appointed, all the high Constables, Tythingmen, or Borrough holders of euery hundred, Lath, orwapentake, within the shire whereof they bee Iustices, and in the presence, and by the assent of them, or the most part of them, shall agree vpon such conuenient summes of money, as shall bee thought good to suffice for the making and perfect fynyshing of a newe Gaole in the same Shire. And thereupon shall forthwith by their assentes and discretion, take euery such person as then shall be resiant in the same shire, aswell within liberties as without, hauing landes, tenements, rentes, or annuities, of estate of inheritance, or for terme of life, to the cleere perely value of xl.s. or aboue, or being worth in moueable substance y^e cleere value of twentie pound, or aboue, to such reasonable summes of money, as shall bee thought conuenient by their discretions, for y^e full buylding and fynyshing of the sayde common Gaole. And after such Taxation, to appoynt such number of Collectors for the leuying thereof, as shall seeme best by their discretions. And the sayde Collectors, and euery of them haue authoritie to distraine euery such person as shall be taxed by the sayde Iustices, in their landes or goodes, aswell within liberties as without, and to sell the distresses by them taken, by the appricement of foure honest persons for the payment of the sayd summes, if the person

New Gaoles to be made in certayne shires

Taxing of the Shires.

Collectors.

Prison, Prisoners, Gaole, Gaolers.

Surveyors.

**Imprisonment
of offenders.**

**The remedy
where Collec-
tors or survey-
ors refuse to
account.**

son taxed refuse to pay the same within ten dayes, next after such distresse taken: taking vpon euery such sale but onely the money taxed, with reasonable costes for taking of the distress, & the ouerplus shalbe deliuered to the owner. And also the said Iustices, or the most part of them, haue authoritie to appoint two honest persons inhabited in the sayd Shire, which shall suruey and prouide that the sayde Gaoles shalbe surely and substantially made and finished, to whose handes the sayde Collectors shall pay the money by them collected, by the appointment of the sayde Iustices, or sixe of them at the least. And the sayd Iustices haue authoritie to limit to euery of the sayd Collectours and two persons, reasonable summes of money for their labours. And all Murtherers and felons shall be imprisoned in the sayde common gaoles, and not els where. 23. H. 8. 2. 5. Eliz. 24. 13. Eliz. 25.

2 ¶ Aswel euery of y^e said Collectors, as euery of y^e said two persons, their heires, executors, and administrators, shall declare a true accompt to the sayd Iustices, or to sixe of them at the least, when they shalbe required. And if any of them refuse to make accompt, or to pay and imploy such money as shall come to their hands in such wise as shalbe limitted by the sayd Iustices, or vi. of them, then the same Iustices or vi. of them haue authoritie, (if the said offenders be present,) to commit them to ward, & if they be absent, to make attachments vnder their seales against euery of them, into euery shire and part of this realme, aswel within liberties as without, to be returnable before the sayd Iustices at such day and places, as by them shalbe appointed, and to be directed to the sherife of the shire wherein the partie or parties shalbe resiant, if it be within the bailiwike of the shirife. And if it be without, then to be directed to the bailife of the libertie, and euery sherife and bailife of libertie to whose hands such attachments shall come, shall attache the said offenders, and personally bring them before the sayd Iustices according to the tenor of the attachment, or els declare by his returne some reasonable cause why hee cannot so doe, vpon paine for euery default by any of them committed, to forfeite to the Q. C.s. And vpon the apparance of euery such person so attached, the sayd Iustices, or sixe of them haue power to commit them to prison, there to remaine till they haue truely accompted, and payde all such summes of money as came to their hands by the assignement of the sayd Iustices by authoritie of this act. And in case there happen to remaine any ouerplus of money after the gaoles fully finished, then the same shall be bestowed in almes to the prisoners committed to the sayd gaole, by the discretions of the said Iustices or the
more

more part of them. And severall commissions vnder the great seale with this Act affixed, shall be directed to the Iustices of the shires before named. 23. H. 8. 2. 5. Cl. 24. 13. Cl. 25.

3 ¶ But this act doth not charge any person inhabited within any Cities or townes, or Boroughs corporate, which haue common Gaoles for felons taken in the same, and haue Iustices of peace for deliuerance of such felons, for any taxes or lottes to the making of the sayd common Gaole of any of the shires aboue named, but euery such inhabitant of any of the counties first before specified be charged to beare any costs for the repayring or new making of any Gaole, where any other person, body politique or corporate ought to buyld or repaire the same. 23. H. 8. 2. 5. Cl. 24. 13. Cl. 25.

The inhabi-
tants in Cities
or townes ha-
uing Gaoles.

The inhabi-
tants of shire
shal not be bur-
dened where
any person is
specially char-
ged.

4 ¶ Euery sherife shalbe allowed vpon his accompt in the Eschequer, for all such money as he shall expend about the necessarie reparations of the sayd Gaoles, after they be once made, as neede shall require, and the Barons of the Eschequer haue power to allowe euery sherife in euery such case by their discretions, without any warrant to be shewed from the Queene. 23. H. 8. 2. 5. Cl. 24. 13. Cl. 25.

Gaoles repai-
red at the A.
costs.

5 ¶ The Sherifes of euery countie shall haue the custody, rule, keeping & charge of the Queenes common Gaoles of the same counties, and of the prisoners therein, and also of the sayd new Gaoles, and shall appoynt such Gaolers as they will answere for. 14. Ed. 3. 10. 19. H. 7. 10. 23. H. 8. 2.

The sherife
shall haue the
charge of eue-
ry Gaole.

6 ¶ But this Act shall not be p̄iudiciall to any persons hauing any common gaoles by inheritance, for terme of life, or for peeres, but that they shall enioy them and the fees, and commodities of the same, as they might lawfully haue had if this act had neuer bene made. 24. H. 8. 2. 5. Cl. 24. to continue from the ende of the Parliament holden 5. Cl. for xx. yerres. 13. Cl. 25.

Particuler
persons ha-
uing interest in
Gaoles.

7 ¶ None shalbe imprisoned by any Iustices of peace, but onely in the common Gaole, sauing to the Lordes and others which haue Gaols, their fraunchise in this case. 5. H. 4. 10.

8 ¶ If any person shall imagine, conspire, inuent, or goe about vnlawfully, and maliciously to set at libertie any person committed to prison, garde, or custodie by the Queenes speciall commandement, for any treason, or suspicion of treason concerning her owne person before any indictment of any such person so sought to be set at large, and the same conspiracies or inuentions shall by words, writing or other matter set forth, or declare: Then the offendour shall incurre the forfeiture of misprision of treason. And if the prisoner be indicted of the foresayd treason, then the offendour shalbe adiudged a felon. And

Enlarging one
imprisoned by
the Queenes
commandement.

if

Probate of testaments, & administration.

if the prisoner be attainted or convicted of the treason aforesayd, then the offender shalbe adiudged a high traytor. 14. El. 2. to continue during the Queenes life.

A prisoner by
dures becomes
meth an approuer.

9 ¶ If any keeper of prison, or vnder keeper, shall by too great dures of imprisonment and paine, cause any prisoner which he hath in his custodie, to become an approuer against his will, and is thereof attainted, he shalbe adiudged a felon. 14. Ed. 3. 10.

A certificat of
euery prisos
ners name at
the gaole deli
uery.

10 ¶ Euery Sherife, Bailife of fraunchise, and euery other person hauing auctoritie of keeping of Gaoles, or of prisoners, for felony, shall certifie the names of euery prisoner in their keeping and of euery prisoner to them committed for any such case at the next generall Gaole deliuerie in euery countie or fraunchise where any such Gaole is or shall be, there to be kalendred before the Iustices of the deliury of the same Gaole, whereby they may as wel for the Queene as for the partie, proceede to make deliuerie of such prisoners according to the lawes, vpon payne to forsayte to the Queene for euery default there recorded a hundred shillings. 3. H. 7. 3.

1 That no Habeas corpus shalbe graunted to remoue any prisoner out of any gaole, except it be signed with a Iustices hand of the same court. S. Remouer 1.

2 That the Iustices of the Kings Bench may send downe prisoners, and their indictments to be tryed in the countrey. S. Remouer 2.

3 That a prisoners goods shall not be seised by any officer, vntill he be attainted. S. Sherifes 26.

4 That it is felony for any person to breake prison. S. Felony 15.

5 That Iustices of peace may taxe euery parish for the reliefe of prisoners. S. Poore 18.

6 Where the keeper of a prison shalbe charged for not receiuing or letting goe a prisoner offered or committed to his custody. S. Escape 1. Statutes &c. 1. Phisition 4.

¶ Probate of testaments, & administration.

Probate of tes
tamets where
the goods ex
ceede not £.5.

Nothing shalbe demaunded, or taken by any Bishoppe, Ordinarie, Archdeacon, Chauncelor, Commissarie, Officiall, nor any other person hauing auctoritie to take probacion, insinuation or approbation of testaments, by him selfe, nor by his Registers, Scribes, Prayers, Summoners, apparators, or by any other of his ministers for the probacion &c. of any testament, or for writing, sealing, praying, registering fines, making of Inuentories, & giuing of acquittances,

res, or for any other cause concerning the same, where the goods of the testator doe not amount clerely aboue the value of £.s. sterling, except onely to the Scribe, for wryting of the probate of testament of him deceased &c. vi.d. and for the commission of ministration of goods of any man deceased intestate, not being aboue the value of £.s.vi.d. And neuertheless the sayde Bpshopp, Ordinarie, or other person, shall not refuse to approue any such testament being lawfully tendred to him to bee proued, whereof the goods of the testator amount not aboue £.s. so that the saide testament be exhibited to him in wryting with waxe thereunto affixed ready to be sealed, and that the same testament bee lawfully proued before the same Ordinary (before the sealing) to be the true, whole, & last testament of the same testator, in such forme as hath bene commonly accustomed in that behalfe. 21.H.8.5.

Commission of
administration.

2 ¶ When the goods of the testator doe amount aboue the clere value of £.s. and do not excede the summe of xl.li. sterling: Then no Bpshopp, Ordinarie, nor other person hauing authoritie to take proba- tion &c. of any testament by himselfe, or any of his ministers, for the probation of any testament, or for y^e registering, sealing, wryting, pray- sing, making of indentures, giuing of acquitances, fines, or any other thing concerning the same, shall take or cause to be takē of any person but onely iii.s.vi.d. and not aboue, whereof to be to the said Ordinary, for him and his ministers ii.s.vi.d. and not aboue, and xii.d. residue to the scribe for the registering of the same. 21.H.8.5.

Probate of
testaments
where y^e goods
excede not
xl.li.

3 ¶ Where the goods of the testator do amount aboue the clere value of xl.li. sterling, then the ordinary by himselfe, nor any of his mi- nisters, for the probation of any testament, or for the registering &c. or a- nything concerning y^e same probate, shall take of any person but onely v.s. & not aboue, whereof to be to y^e said Ordinary for him & his mini- sters ii.s.vi.d. & not aboue, & ii.s.vi.d. residue to be to the Scribe for registering of y^e same, or els the scribe to be at his liberty to refuse the ii.s.vi.d. & to haue for wryting of euery x. lines of the same testament (whereof euery line to containe in length x. ynches) i.d. 21.H.8.5.

Probate where
the goods ex-
cede xl.li.

4 ¶ And euery such Bishop, Ordinary, or other person hauing au- thoritie to take the probation of any testament, their registers, scribes, and ministers, shall approue, insinuat, seale, & register y^e said testaments and deliuer the same sealed with y^e seale of their office, to the executor or executors named in such testaments for the summes abouesaid, and in maner and forme aboue rehearsed, with conuenient speede without any frustratory delay. 21.H.8.5.

Testaments
shall be sealed
and deliuered
in time con-
uenient.

5 ¶ If any person die intestate, or y^e executor named in any such

Administra-
on.

testaments

Administrati-
on.

testaments refuse to proue the said testamēt, then the Ordinarie or other person or persons hauing aucthoritie to take probate of testamēts shall graunt the administration of the goods of the testator, or person deceased, to the widow of the same person, or to the next of his kinne, or to both, as by the discretion of the same Ordinary shall be thought good, taking suertie of him or them to whom shalbe made such commission, for true administration of the goods, cattels, & debts, which he or they shalbe so aucthorised to minister. 21. H. 8. 5.

Administrati-
on where di-
uers do re-
quest it.

6 ¶ And in case where diuers persons claime the administratiō as next of kinne, which be equall in degree of kintred to the testator or person deceased, & where any persō only desireth the administratiō as next of y kinne, where in deede diuers persons be in equality of kinred: Then the Ordinar y shalbe at his liberty to accept any one, or moe making request where diuers do require the administration, or where but one or mo of thē & not al being in equality of degree do make request, then the Ordinarie shall admit the widow, & him or them only making request, or any one of them at his pleasure, taking nothing for the same vnlesse the goods of the person so deceased, amount aboue the value or summe of £.s. And in case the goods amount aboue a hundred shillings & not aboue xl. li. then he and his officers shall take only ii. s. vi. d. & not aboue. 21. H. 8. 5.

How much
the Ordinarie
shall take for
graunting ad-
ministration.

Inuentorie.

7 ¶ The executour and executours named by the testatour, or such other person or persons, to whom such administration shall bee committed, where any person dieth intestate, or by way of intestate, taking to him or them two such personnes at the least, to whome the sayd person so dying was indebted, or made by any legacie, and vpon their refusall or absence, two honest personnes being next of kinne to the person so dying, and in their default or absence, two other honest persons, and in their presence, and by their discretions shall make, or cause to be made a true and perfect inuentorie of all the goods, cattels, wares, marchandizes, as well moueable as not moneable whatsoeuer, that were of the sayde person so deceased, and the same shall cause to bee indented, whereof the one part shall be by the sayd executour or executours, administratour or administrators, vpon his or their othe or othes, to be taken before the sayde Bishops, Ordinaries, their Officials, or Commissaries, or other persons hauing power to take probate of testaments vpon the holy Euangelistes, to be good and true, and the same one part indented, shall present and deliuer into the keeping of the sayd Bishop, or Ordinar y &c. & the other to remaine with the sayd executor or executors, administrator or administrators &c. which Inuentorie so to him tendered,

vered, no Bishop, Ordinarie &c. shall refuse to take, vpon the paine hereafter contained. 21. H. 8. 5.

8 ¶ If the person deceased will by his testament any landes, tenements, or hereditaments to bee solde, the money thereof comming, or the profittes of the saide landes for any time to be taken, shal not be accounted as any of the goods or cattels of the sayde person so deceased. 21. H. 8. 5.

Denise of
lands to be
solde.

9 ¶ And the same Ordinarie &c. vpon the deliuey of the Seale and signe of the testator, shall cause the same seale to bee defaced, and thereupon incontinent redeliuer the same seale vnto the said executor or executors, without claime or challenge thereunto to be. 21. H. 8. 5.

The testator's
seale defaced.

10 ¶ And in case any person at any time require a copie of y^e said testament so proued, or Inuentorie so made, then the sayd Ordinarie &c. or his ministers shal without any frustratory delay, deliuer or cause to be deliuered a true copie of the same, vnto the sayd person demanding the same, taking for the search, and for the making thereof, but onely such fee, as is before rehearsed for the Registring of the said testament, or els the Scribe or register to be at his libertie, to demaund, haue, and take for euery x. lines thereof being of the proportion before rehearsed i. d. 21. H. 8. 5.

Copies of tes-
taments or
Inuentories.

11 ¶ But where any persons hauing authority to take probate of testaments, haue vsed to take lesse summes of money then is abouesaid for the probate of testaments, or commissions of Administrations, or other cause concerning the same, they shall take such summe for the same, as they before the making of this act, haue vsed to take and not aboue. 21. H. 8. 5.

Custom to
take lesse money
for probates.

12 ¶ Euery Bishop, Ordinarie, Archdeacon, Chauncelloz, Commissarie, Officiall, and other person or persons hauing authoritie to take probate of testaments, their registers, Scribes, Prailors, Summoners, Apparators, and al other their ministers that shal do or attēpt, or cause to bee done or attempted against this act in any thing, shall forf. for euery time so offending to the D. grieued so much money as he shal take contrarie to this act. And ouer that shal forf. to the D. and the P. grieued x. li. to be rec. by A. J. &c. wherein no W. C. P. &c. And euery of the same Bishops, and other persons which shall incurre the danger of such penaltie, shalbe charged only for himselfe, and none of them shall bee chargeable to the penaltie for others offences. 21. H. 8. 5.

The forfeiture
for taking more
then duetie.

13 ¶ But this act is not preiudiciall to any Ordinarie or other person, hauing authority to take probate of testaments, but euery of them

Executors con-
uicted to proue
y^e will, or bring
them in Inuentories.

Prohibition, Consultation.

them shall and may conuent before the euery person made executor of any testament, to the intent to prooue or refuse the same, and to bring in Inuentories, and to doe euery other thing concerning the same, as they might do before the making of this act, so that alwayes any such Ordinarie &c. or other ministers aforesaide, shall not take for the same aboue the fees limited by this act, ne in any wise attempt any thing contrarie to any part of the same act. 28. H. 8. 5.

Archdeaconry
of Richmond.

14 ¶ No spiritual person or others, hauing any benefice or other spiritual promotion within the Archdeaconrie of Richmond in Dorsetshire, shall aske, leuy, demand, or take after the deceasse of any person, any porcion or porcions, nor any other demaund or duetie, in y name or lieu of the same, vpon paine to incurre such penalties, as bee contained in the statute of Prouisoys made 25. Ed. 3. (viz. they shall be attached by their bodies, and brought in to aunswere, and if they bee convicted, they shall remaine in prison, without being let to baile or mainprise or otherwise deliuered until they haue paied a fine to the Queen at her pleasure, & satisfaction to the partie griued, & before their deliuerance they shall find suerty y they shall not attempt such thinges in tyme to come. And if they cannot be founde, an Exigent shall be awarded against them by due proces, and writs shall go forth to apprehende their bodies, & in the meane time the Queene shall haue the profite of their benefices or other spirituall promotions.) But euery of the Queenes subiectes of the sayde Archdeaconrie, and their executors & administrators, shall be vbled for their goods and cattels after their decease, in like maner as is contained in the foresaide Statute of 21. H. 8. Any custome, bil, composition, prescription, or ordinance &c. notwithstanding. 26. H. 8. 15.

Prohibition, Consultation.

Oblations.
Portuaries.

The Queenes prohibition doeth not lie, when any oblations, obventions, or Portuarie (where Portuaries haue bene vbled to be given) be by those names demaunded in an ecclesiasticall Court, although for the long withholding of the same, they bee esteemed at a certaine summe of money. But if a clerke doe sell his tithes being gathered in his Barne or els where, for a certaine summe of money, if the money be demanded before an ecclesiastical Iudge, y Queenes prohibition shall take place, for by the sale, spiritual things are become temporal, and tithes are turned into chattels. Articuli Cleri. 9. Ed. 2. 1.

Money for
tithes.

Penance for
sinne.

2 ¶ If an ecclesiastical Iudge do enioyne penance for deadly sinne, as for fornication, aduowtrie, and such like (for the which sometime corporal punishment, and sometime punishment by the purse is inioyned)

ned) or for that the Churchyard is unfenced, or the church uncovered, *The Church not well bled.*
 or not conveniently decked (in which cases there is none other punishment but by the purse,) or for laying violent handes upon a Clerke, or
 for defamation when money is not demanded, but correction of the
 offence required, or for breaking of any othe, or if the Prelate of a
 Church, or an Advocate doe demand of a person a pension due unto *Intolerance to one of the Clergie.*
 him, the Queenes prohibition doth not lie, and in the foresaid cases y
 ecclesiasticall Judge hath power to take order, notwithstanding the
 Queenes prohibition to him directed, Articuli cleri 9. Ed. 2. Circum-
 specte agatis 13. E. 1. For no Prohibition shalbe directed out of the
 Chauncery, but where the Queenes maiestie hath, & of right ought to
 haue consaunce of the plee. 18. Ed. 3. 5. *No prohibition but where the Queene hath cognisance.*

3 **I**f a Prelate or ecclesiasticall Judge wil appoint that one shal
 pay money for his offence, and the money is demanded of the offen-
 dor, the Q. prohibition doth lie, but if he do enioyne some corporal pu-
 nishment, & they which are to be punished, will upon their owne ac-
 cord redeeme the same punishment with money, which money is de-
 manded before the ecclesiasticall Judge, the Q. prohibition doeth not
 lie. And likewise in excommunication & defamation, the ecclesiasticall
 Judge may correct by enioyning a corporal punishment, notwithsta-
 nding the Q. prohibition, the which if the offender will redeeme by gi-
 uing to y partie grieved money, hee may, & the same may be deman-
 ded before an ecclesiasticall Judge, & in those cases the Q. prohibition
 wil not take place. But though any cause or busines, (the cognisance
 whereof belongeth to the ecclesiasticall court) shalbe once determined
 before an ecclesiasticall Judge, & become a thing adiudged, & not stai-
 ed by appeale, if after question be moued upon the same thing betwixt
 the same persons before a secular Judge, & be proued by witnesses or
 instruments, the former iudgement shalbe no exception in the secular
 court, for one cause may bee sued before ecclesiasticall Judges and se-
 cular Judges in severall respects (as for laying violent handes up-
 on a Clerke.) And therfore notwithstanding the iudgement giuen in
 the ecclesiasticall court, the Queenes court shall deale in that cause as
 it seemeth good. Articuli cleri. 9. Ed. 2. 2. 3. 4. 6. *Money for corporal punishment.*

4 **I**f there be debate upon the right of tithes (which hath his
 original upon the right of the Patronage) & the quantitie of the same
 tithes do exceede the iiii. part of the value of y church (if the suit be co-
 menced before a spirituall Judge) the Queenes Prohibition (vz. a
 writ of Indicavit) doeth lie 9. Ed. 2. 2. Which writ of Indicavit shall
 not be granted to any man, before the matter depending in the spiri-
 tual court, betweene the parties be recorded, and that the Chaunceloz
 of *Where a suit may be commen- ced both in the spiritual & se- cular court for one offence.*

Prohibition, Consultation.

of England be certified thereof by the sight of the libel. 34. Ed. 1. De coniunctim feoffatis.

Silua cedua.

5 ¶ If any Parson or Vicar do implead any other in a spirituall court for the tithe of wood being xx. yeeres of age or aboue in y^e name of Silua cedua, the party sued shall haue a prohibition, & vpon y^e same an attachment. 45. Ed. 3. 3.

If mill new builded.

6 ¶ If any person do build a new Mill in his ground, & the parson of the same parish do demand tithes thereof, the Queens Prohibition doth not lie. Articuli cleri. 9. Ed. 2. 4.

Indictment in the shirifes turne.

7 ¶ If any clerke or lay person being indicted before the shirife in his turne, & after by enquest deliuered before the Iustices, doe sue in the spiritual court against such indictors, surmising that they haue defamed him, euery person feeling himselfe therby griued, shall haue a prohibition in the Chancery vpon his case. 1. Ed. 3. 11.

Consultation.

8 ¶ If any Ecclesiasticall Iudges doe surcease to proceed in any cause moued before them by force of the Queenes writ of prohibition, in any case where remedy cannot bee giuen vnto the complainantes in the Queenes court by any writ out of the Chauncery, the Lorde Chaunceloz, or chiefe Iustice for the time being, vpon sight of the Libel of the same matter, at the request of the plaintife (if they see that y^e plaintife can haue no remedy out of the Chauncery, but that the matter is determinable in y^e ecclesiasticall court) shall write vnto the Iudges before whom the matter was first brought in question, that they shall proceede in the same cause, notwithstanding the Queenes Prohibition to them directed. 24. Ed. 1.

No prohibitio shall be allowed after consultation graunted.

9 ¶ Where a Consultation is once duely graunted vpon a Prohibition directed to any Ecclesiasticall Iudge, the same Iudge may proceede in the same cause by vertue of the same Consultation, notwithstanding any other Prohibition deliuered vnto him, but the matter in the Libell of the sayd cause shall not bee enlarged, altered, or changed. 50. Ed. 3. 4.

If copy of the libel shall be deliuered to the Judge before a Prohibition graunted.

10 ¶ If any party for any cause appointed in the statute provided (2. Edw. 6. for true payment of tithes and offringes) to bee sued or determined in the Queenes Ecclesiasticall Court, or before the Ecclesiasticall Iudge, doe sue for any Prohibition in any of the Queens courts where prohibitions haue bene v^{se}led to be graunted, then before any prohibition shall be graunted to him, hee shall bring and deliuer to the handes of some of the Iustices or Iudges of the same Court where such partie demaundeth prohibition, the very true copy of the Libel depending in the ecclesiasticall Court, concerning the matter wherfore the party demaundeth y^e Prohibition, subscribed or marked with

with the hand of the same partie, and vnder the copie of the said Libel shall bee written the suggestion wherefore the partie so demaundeth the said Prohibition, and in case the sayd suggestion by two honest & sufficient witnesses at the least be not proued true in the court where the sayde Prohibition shall bee so graunted, within vi. Moneths next following after the sayde Prohibition shalbe so graunted and awarded: Then the partie that is hindred of his suite in the Ecclesiasticall court by such prohibition, shal vpon his request and suit, without delay haue a Consultation graunted in that same case, in y^e court where the sayd Prohibition was graunted, and shal also recouer double costs and damages against the partie that so pursueth the said prohibition, the same to be assessed by the court where the said Consultation shalbe so graunted, for which costes and dammages the partie to whome they shalbe awarded, may haue an A. of debt by B. P. J. &c. in any of the Queenes courtes of recorde, wherein no W. E. P. &c. 2, Ed. 6, 13, S. Tithes, 25. &c.

Consultation
for default of
proving the
suggestion.

Prophecies.

IF any person do aduisedly & directly aduance, publish, and set forth by writing, printing, singing, or any other open speech or deede, to any person or persons, any fond, phantastical, or false Prophecie, vpon or by y^e occasion of any Armes, Fields, Beasts, Badges, or such other like thinges accustomed in Armes, cognisaunces, or signets, or vpon, or by reason of any time, yere, or day, name, bloodshed, or warre, to the intent thereby to make any Rebellion, Insurrection, discention, losse of life, or other disturbance within this Realme, and other the Queenes dominions: Then euery such person being thereof lawfully conuicted &c. for euery such offence shall suffer imprisonment by y^e space of one yere without baile or mainprise, and shall forfeite to the Queene & J. x. li. to be recouered by A. J. &c. wherin no W. E. P. &c. And if any offendor do eftsoones offende in any of the premisses after such conuiction, and be thereof lawfully conuicted, then he shal for his second offence and conuiction, suffer imprisonment without baile or mainprise during his life, & also forfeit. to the Q. and J. &c. al his goods & cattels, reals & personals. But no person shalbe impeched of any offence committed contrary to this act, vnles he bee therefore impeched or accused within vi. moneths next ensuing such offence by him done 5. El. 15. S. Iustice of peace. 24.

1 The penaltie of prophesying, how long the Queene shall liue, or raigne, S. Newes. 7.

Protectiōns.

By the A. pro-
tectiō the par-
ties suit shall
not be hinder-
ed but his
execution.

If the Queenes Maiestie doe by her Prerogative, graunt to any persons which bee bounde to her grace for any maner of debt, protectiōns that they shall not bee impleaded for any debtes which they owe to others, vntill they haue made satisfactiō to her, for þ which is due vnto her: Yet notwithstanding euery man which hath cause of acciō against such debtors, shall be answered in the Queenes Court by the said debtors, & if the plaintife or demandant haue iudgement giuen for him, the execution of the iudgement shall be suspended, vntill the Queene be satisfied of her debt. And if the creditors wil take vpon them to answer the Queenes debt, they shall be thereunto receyued, & moreouer shall haue execution against the debtors of the debt due vnto them, and also shall recouer against them so much as they pay to the Queene for them. 25. Ed. 3. 19.

Protectiō cum
clausula volu-
mus.

2 **N**o protectiō with the clause (Volumus) shall be allowed before any Iudge, for vitayles taken or bought vpon the viage, or seruice whereof the protectiō maketh mencion, nor yet in ples of trespas, or of other contractes made or committed after the date of þ same protectiō. 1. R. 2. 8.

Protectiō.
Quia profectu-
rus.

3 **N**o protectiō with the clause (Quia profecturus) shall be allowed in any plee whereof the suit is commenced before the date of þ said protectiō (except it be in a viage roial, or in the Queenes messages for the affaires of the realme.) But they which be impleaded shall make their Atturneys to answer for them in such ples, or tarry the selues if they will. But the Protectiō (Quia moratur) shall be allowed, in all cases, as it hath bene. 13. R. 2. 16.

Causes of re-
pealing a pro-
tectiō.

4 **I**f any tary in the Countrey without going to the seruice, for the which he is retayned, more then a conuenient time after hee hath his Protectiō, or do remaine from the same seruice, & the Chauncelour of England be thereof informed, he shall repeale his protectiō. 13. R. 2. 16. And if one do cast a Protectiō of the Queenes seruice, & his aduersarie will chalenge the protectiō, and immediatly when it is shewed forth wil auerre that his aduersarie was within the iiii. Seas, and forth of þ Queenes seruice, so that he might haue come, the chalenge shall be entred of recorde, and the matter shall remaine without day, according to the nature of the Protectiō. And when the partie shall be resummoned & come into the Court, & demand iudgement, & hearing of the proces, and offer to auerre his chalenge if his aduersary will attend, if the enquest passe against him which cast the Protectiō, it shall turne him to a default if he be tenaunt, and if he be demandant, hee shall lose his writ and bee amerced. 23. Ed. 1. Stat. de Protectionibus.

5 **N**o writte of course in the nature of a Protection shall bee graunted within the Countie palantine of Chester, vpon the suggestion of any person indebted to any other coming to the Eschequer in the said countie palantine, & there taking a corporall othe, that hee shall pay his creditors as he shalbe able (as in time past it hath bene used) without a special warrant from the Queene, her heires or successors contayning such protection. 34. H. 8. 13.

Protection for
the Countie
of Chester.

Purueyors.

If any Chatoz, or other officer of any Lorde or other person, doe presume to take, or els doe take any vitailles, corne, hay, carrages, or any other thing of any of the Queenes liege people in any maner against their willes, without making a lawfull bargaine betwixt the said Chatoz or officer, and the said person (except it be for the Queene and her house) then if notice or request be made to the Maior, shiriffe, Bailife, Constable, or other of y^e Queenes officers of the Cities, Boroughes, counties, or places where such taking shalbe, the said Maior, Officer &c. shal immediatly take & arrest al such Chatozs & Officers so offending, and send them to the Queenes next prison, there to remaine without baile or mainprise, untill they haue redeliuered all the thinges so taken, or the very value thereof. And if the said Maior, Officers &c. do the contrarie, they shal forfeit xx.li. whereof the Queene shal haue the one halfe, and the partie from whom the things were taken y^e other, if he wil sue by A. of debt, wherein no W. &c. & if hee will not sue, whosoever will, shall haue the suit to recouer the one moytie for the Queene, and the other for himself. And if any of y^e said chatozs (other then the Queenes) be duely conuict of such vnlawfull taking, then they shall peelde to the partie who so sueth, the treble value of the thinges so taken, & the double costes of their suites, and also shal make fine to the Queene. And in all those accions no W. &c. 23. H. 6. 14. It seemeth by some statutes, that if any mans chatoz or seruant, other then the Queenes, do take any thing of any man, but of him which will willingly sel it, as he can agree with the seller, or doe not pay for it presently according to the agreement, it is felony in the same chatoz. 36. Ed. 3. 6. 7. R. 2. 7. See 4.

No subjectes
Chatoz shall
take any thing
against the owa-
ners consent.

2 **N**o Sherife, or other Officer of the Queenes, nor any other person, shal by commission vnder the great seale, or priuie seale, or without commission, take or cary away, any maner of corne, haye, vitailles, horse, bullockes, cartes, boates, shippes, or any goods of any Archbishops, Bishops, Prelates, Parsons, Vicars, or of any other

No spiritual
persons goods
shalbe taken,

Purueyors,

of the Clergie vnder the Colour of buying, or by any other meane, within their manors, houses, granges, nor in other places within the fee of the Church, or in market townes, or any other places against the wils of them whose the goods bee, or of them in whose possession they then doe remaine. Neither shall the sayde Prelates or clergy be charged to receiue into their houses any hostages, or sojourners of Scotlande, or other forreine region. Nor the Horses, Dogges, Faucons, or other Haukes of the Queenes, or any other persons against their wils: Sauing they which of auncient right doe owe to her grace that seruice, to keepe her Horses, Haukes, Dogges &c. 3. Ed. 1. 1. 10. Ed. 1. 14. Ed. 3. 1. And if any of the Queenes Purueyors, or takers doe the contrarie, the Prelats and Clerkes shall haue their action of trespassse against them, and recouer their treble damages. 1. R. 2. 2. And in all Commissions to bee made for the prouision of the Queenes house, the fees of the Church in euery place shalbe excepted. 18. Ed. 3. 4.

Purueyors
shal agree for
things taken.

Purueyors
shal shew their
Commission.

3 ¶ Purueyors for the Queenes house shall pay or agree for the pices that they shall make in the countrey, of meat, drinke, and other necessarie things for the same house, with them of whom the thinges be taken, and they shall haue their warrant or commission with them (sealed with the Queenes great seale. 36. Ed. 3. 2.) conteyning their authoritie, and the things whereof they shall make pices, or purueyance, the which warrant they shal shew to them of whom they make their pices, before they do take any thing. And if any purueyor of the Queenes house, by reason of his warrant doth make pices in other sort then is before limited, if vpon complaine made to the Treasorer & Stewarde of the Queenes house, and by enquirie, he bee thereof attainted, he shall agree with the plaintife immediatly, be put out of the Queenes seruice for ever, and remaine in prison at the Queens pleasure. Stat. de pris. 28. Ed. 1. 2.

Purueyances
without war-
rant.

Felony.

4 ¶ If any make purueyance or pices without warrant, & doe carie them away against the will of the owner, hee shalbe arrested by the towne where the pices were made, & caried to the next gaole, and if he be thereof attainted, he shalbe punished as a felon, if the value of the goods do so require. 28. Ed. 1. 2.

Purueyance
by the owners
good will.

5 ¶ All purueyances which shalbe made for the Queenes house where she doth abide & passe through the Countrey, shalbe made by warrant & power giuen to them which shall make the purueyance, in which warrant it shalbe contained, that they shall buy nothing but by agreement betweene the buyer & the seller, and by the good wil of the sellers, and if any by colour of his commission, take any thing
against

against this ordinance, none shalbe bound to obey him any moze, then if he had no commission. 14. Ed. 3. 19.

6 ¶ No Constable or his Bailife, shall take cozne or cattell of any man for to vitaille his Castell, if the man be not of the towne where the Castell is, but he shall forthwith pay for the same (except the seller will respite the payment.) And if he be of the same Towne, the price of the cozne and cattell shalbe payed within xl. dayes, (except it be an ancient price due to the Queene, the castell, or the Lord of the Castell. Magna Chart. 9. H. 3. 19. West. 1. 3. Ed. 1. 7.

Purueiance
for a Castell.

7 ¶ If any take cozne or vitaille to the Queenes vse upon credite, or to the garison of a Castell, or otherwise, and when they haue receiued their payment in the Eschequer, wardrope or els where, doe withhold it from their creditors, if they haue any landes or teneiments, it shall be leuiued of their lands and goods, and payed to their creditors, with the dammage they haue sustayned, and also they shall pay a fine to the Q. for the trespass, and if they haue no lands, they shalbe imprisoned at the Queenes pleasure. 3. Ed. 1. 31.

Withholding
of money due
for prices.

8 ¶ If any taker of wood or tymber to the Queenes vse, for worke or any other thing, do cause to be cut or felled downe any mans trees growing about or within his house, he shall pay to the partie his treble damages, be one yere imprisoned, and lose his office. 25. Ed. 3. 6. But by the statute of Mag. Chart. 9. H. 3. 21, no wood shalbe taken for the Queene without the owners consent.

Taking of
timber about
a house.

9 No Purueyoz of the Queenes shall take any moze sheepe before share time, but so many as may reasonably suffice vntill share time, and after that time they shall take as many shorne sheepe and not other, as may reasonably suffice for the time to come. And if any taker, purueyoz, or buyer, take any sheepe with thier wooll, betwixt Easter and the feast of S. Iohn Baptist, prayse them at a small price and send them to his house to be shorne to his owne profite, and thereof be attainted at the suit of the Queene, or the partie, he shall be vsed as a theefe or a robber. 25. Ed. 3. 15.

Taking of
sheepe.

Felony.
Quare.

10 ¶ All purueiances that shalbe made for the Queenes great hoxses, so long as they doe soiozne in any Countrey, shall be made by the Sherifes of the counties where such hoxses do soiozne, and not by any other, and the purueyances made by the Sherife in this case, shalbe deliuered to the keepers of the hoxses, by Indenture 10. Ed. 3. 4. But no commission shalbe made to any, but onely a commaundement to the Sherife, that he make purueyance of the issues of his Balliwicke: and the number of the hoxses for the which he shall make purueyance shall be contained in the commandement, and no puruei-
ance

Purueiance
for the Queenes
hoxses.

Purueyors.

Purueiāce for
the Queenes
dogges.

ance shall be made about that number: Sauing that the chiefe keeper shall haue a hackney, and for euery horse shall be allowed one seruant without bzinging woman, pages, or dogges with them. And if there be any moze found there remaining to charge the countrey, they shalbe sent to prison, vntill the Queenes pleasure be knownen. And in like maner purueyances shalbe made for the Q. dogges, when as she sendeth them into the countrey, & if any man be griued against y^e forme aforesayd, he shall haue his remedie against the sherife. 14. Ed. 3. 19.

Purueiāce for
the Queenes
wardrope.

11 **T**akers of prises in Faies, good townes, and in ports, for the Queenes wardrope, shall haue their common warrant vnder the great seale, and the things that they shal take, shalbe testified vnder the seale of the keeper of the wardrope. Of the number of the things taken, the value and the quantitie, there shalbe an indenture made betweene the takers and the keepers of faies, Maiors, and Bailifes of those townes and ports where such goods be taken, by the viewe of those marchants whose goods be taken, and they shall take no moze then is contained in their indenture, which indenture shalbe sent into the wardrope vnder the seale of the keepers of y^e faire, Maior, or chiefe bailife, there to remaine vntill the accompt of the wardrope be giuen to the Queene. And if any be found that he hath taken otherwise then he ought to do vpon his accompt, he shalbe punished by the keepers of the wardrope, according to his deserts. And if any make such prises without warrant, he shall be punished as a felon, if the value of the goods do require it. 28. Ed. 1. 2.

Felony.

No vittailer
shal be a taker
of cariage.

12 **I**f any Letters patents at any time shall be graunted to any hostellers, brewers, or other vittailers keeping hosteries, or houses of retaining of vitailles, to take horses & carts for the Queenes carriage, the same patents shalbe voyde. 28. H. 6. 2.

Taking mony
to spare any
mans horse or
cart, or taking
without an of-
ficers deliuerp

13 **I**f any person do take any Horse or cart, without agreeing with the owner for the same, and by the deliuerance of the Maior, Sherife, Bailifes, or Constable, where such taking is, or doe take any money of any person for to deliuer vnto him his Horse or Cart, which he hath taken, or doe take any fine of any of the Queenes people to shew them fauor, and not to take their horses or cartes, then he or they from whom such horse or cart, or of whome such fines or paiments be taken, shall haue an accion of trespass at the common lawe for such takings, and shall recouer against the offender treble damages. 28. H. 6. 2. 3. Ed. 1. 31. But no demesne cart of any spirituall person, knight, or Lord, shalbe taken. Magna Charta, 21. 9. H. 3. 21.

Receiuing res-
ward to charg
an other.

14 **N**o buyer or purueyor of vitailles, or taker of cariages, shall receiue of any one or other any gift, or other good turne to spare him,

him, not to charge or grieue any man by reason of such takings, buyings, and carriages for hatred, enuy, euill will, or procurement, and if he do, and thereof be attainted at the parties suit, he shall peelde to the party his treble damages, haue ii. yeeres imprisonment, be punished at the Queenes pleasure, and forswear the court, and if the party will not sue, hee that will sue for the Queene shall haue the third peny of that which shalbe recovered, for his paynes, and neuertheles the puruey or shall receiue the foresaid punishment. 36. Ed. 3. 3.

15 ¶ Certaine Marchants, or other honest and discreete men shalbe assigned by the Lorde Treasorer to make purueiance of flesh, fish, and other vitailles for the Queenes warres, and for to vitaille Castels, and townes in England, or els where, without commission, and without the Queenes aucthoritie or any other, so that no man shalbe enforced to sell any thing against his will. 14. Ed. 3. 3.

Purveyances
for ships and
Castels.

16 ¶ All Takers and Puruey ors shall take all corne, hay, litter, & other vitaille and goods of the Queenes people by measure striked, according as is vled through the Realme, and shall not measure them by heape, nor otherwise take excessiue measure, and shall make present payment for the carriage thereof, and no man is bound to deliuer for the quarter but viii. Bushels striked. 4. Ed. 3. 3. 25. Ed. 3. 1. 36. Ed. 3. 2. 11. H. 7. 4. And if any of the Queenes Puruey ors or other persons, doe buy or take any corne in other sort, or by other measure but viii. bushels striked for the quarter, and thereof is attainted, he shall be one yeere imprisoned, pay to the Queene C.s. and to the partie griued as much for euery time that he is thereof attainted. And the partie that will sue, may haue his accion vpon the case, and aswel the partie griued, as euery one of the Queenes liege people, which will sue for the Q. may maintaine the suit in this case at his pleasure. And nothing shalbe taken for measuring of the said corne. 1. H. 5. 10. 11. H. 6. 8.

By what
measure pur-
uey ors shall
take.

17 ¶ The Corne, Cattell, and other vitaille, and things which shalbe taken for the Queenes house, shalbe taken in such place where most plentie is, and in conuenient time, and no more then is needefull for that season, and if the Puruey or or Buyer cannot well agree with the seller, for that which he shall neede, then the same shalbe praysed at the very value, by the Constables, and iiij. honest men of the townes where such taking is thereunto sworn, and the praylers shall not bee constrained by meanace, threates, dures, or other villany to set any price, other then their othes do require, but as such things doe commonly go in their next markets, and Indentures or tailles shalbe presently made betwixt the Puruey ors and those for whom the goods be taken, in the presence of the said Constables and iiij. praylers, contain-
ning

Appraisement
of things pur-
ueyed.

Purueyours.

ning the quantitie of their takings, the price, and of what persons, and they shall be sealed with the Purueiours seale, by which Indentures or Tayles, satisfaction shalbe made to them from whom such goods be taken, and if any taker or puruey or do make his prouision in any other maner then by iiii. discreete men of the towne, or do not deliuer Tayles or Indentures with his seale as is before said, he shalbe incontinently arrested by the Towne where such purueyance was made, and brought to the next gaole, and if he be thereof attainted, he shalbe punished as a Felon, if the quantitie of the goods do require. 5. Ed. 3. 2. 10. Ed. 3. 1. 25. Ed. 3. 1. 36. Ed. 3. 2.

Felony.

Quare,

¶ But consider the foresaid Statutes diligently, whether the appraisement shalbe made by the Lordes of the Townes, or their Bailifes, or by the Constable & iiii. men of the Towne, and whether there shalbe Indentures deliuered or Tayles, and also whether the said Indentures or Tayles shalbe made betweene the Purueyours & iiii. prayfers, or betweene the purueiours and owners &c. for thereupon the foresayd Statutes do somewhat differ. S. 27. 28.

Commissions to enquire of purueyours behaviour.

18 ¶ Commissions shall bee directed vnto two wise and credible men of euery countie, and to a third man of the Queenes house, that they three or two of them shall enquire of the behauior of the Queenes Purueyours and buyers, and how much the Queenes purueiours of vitails & great horses haue taken & bought of, & how much cariage they haue taken of euery village or singuler person, & to heare & determine as well at the Queenes suit as at any other mans which shal finde him selfe griued, the contempts, outragious dealings, and trespasses, committed by them in this matter. And that the sayde Iustices or commissioners may be duely informed of the foresaid things, the Steward, Treasorer, and Comptroller of the Queenes house shall assemble together, and cal before them, all the clerkes & other officers of the same house, & seing the receipt of the parcels purueied in the countrey, and spent in the said house euery quarter, or halfe yere, shal certifie into the Chauncery the parcels taken in euery village, & of euery persō: which certificat the Lorde Chauncelloz shall send downe to the foresaide Iustices or commissioners, & if it be found at the Queenes or the parties suit in the countrey by euidence of their indictors, or in other maner, that the purueiours haue taken more then they haue deliuered to the Queenes house, and that they haue not payed for that which they haue taken, it is Felony, and they shalbe punished as felons. 36. Ed. 3. 4.

Felony.

Purueyance in other maner then is comprised in his commission.

19 ¶ If any taker or buyer, after commission to him directed, doth puruey or buy, or take any cariage in other maner then is comprised in his commission, it is Felony. 36. Ed. 3. 2.

20 ¶ Every

20 ¶ Every Purueyor and buyer for the Queene, before he hath his Commission, shall be sworn in the Chauncery, that he shall take nothing of the Queenes people, contrary to the foresaid statute made 36. Ed. 3. against y^e disorder of Purueyours. In which statute amongst other things it is ordeined, that the hainous name of Purueiours shall be changed, and that they shalbe called buyers, and that there shalbe as few of them as may be. 23. H. 6. 1.

Purueyours
othe.

The name of
Purueyours
changed.

21 ¶ The praisors, and all the townes adioyning (if neede be) are bound to do their indeuour, to resist the byers and Purueyours doing contrary to the sayde statute made 36. Ed. 3. and as much as in them is to execute the same statute vpon the purueyours if they be required, and hee which is griued with the taking of his goods contrary to the sayde statute, may choose to haue his accion of debt agaynst the said praisors, towne or townes, and euery of them which doe not their indeuour in resistance of the sayd purueyours or buyers, in forme aforesayd when they be required, or els against the said purueyours and euery of them, to recouer treble value of the goods so taken, and also his treble costes and dammages. And if any purueyor, or other of the Queenes officers doe trouble in the Marshallsie, or els where any of the Queenes liege people by any ciuill suggestion, or cause sayned against them, because of the execution of the foresayd ordinances made 36. Ed. 3. he shall forf. to the party griued xx. li. beside his dammages and costes thereby sustained: And the party shall haue thereupon an accion of debt. And euery issue triable in this accion shalbe tried in the county where the goods were taken, and the defendants in all the foresaid cases, shall answer without fourching, and no W. &c. E. P. nor ayde of the Queene shall be allowed to them. And the Sergeant of the Cattrie, shall satisfie all the dammages, debts, and executions which shalbe recouered against any Purueyor vnder him in all the foresaid cases. And if the Purueyor be not sufficient to make satisfaction, the plaintife shall haue a Scire facias against the sayde Sergeant to haue execution. 23. H. 6. 1.

Resistance of
the purueyours
offending.

Sergeant of
the Cattrie.

22 ¶ No Purueyor or buyer, shall make any purueyance for the Queenes house of any thing to the value of xl. s. or vnder, except he make ready payment in hand, vpon payne to loose his office, and to pay the value to the partie griued. 2. H. 4. 14. And in case any Purueyor, buyer, or taker, will take or buye any thing to the value of xl. shillings or vnder of any person, and make not ready payment in hand, then it is lawfull to euery of the Queenes liege people to retaine their goods and cattels, and to resist such purueyours and buyers, and in no case to suffer them to make any purueyance. And euery Constable,

Ready paymēt

Purueyors.

Constable, Tithingman, or chiefe pledge of euery towne or hamlet, where such purueyance shalbe made, shalbe assisting to the possessor or seller of such things, to bee taken against the forme aforesayde, to make resistance in forme aforesayde, in cases they be required so to doe, vpon paine to yeelde to the partie griued the value of the things so taken, with his double dammages, and none of the Queenes people shalbe put to any losse or damage by the Queene, or any of her officers for such resistance, and none of the Q. officers shall cause any of y^e Queenes people to be arrested, vexed, or impleaded in the court of the Marshalsey, or els where, for such retayning or not sufferance, vpon paine to forfeit. x. li. to the Q. and J. &c. & in euery accion comenced vnder this stat. the defendant shal answere without ayde of the Queene, and in such accions proces shalbe made, as in a writ of trespass done against the peace. 20. H. 6. 8.

The Queenes
Purueyors
may take their
liberties.

23 ¶ Purueyors assigned by the Q. Commission for prouision of her grace, shal and may prouide al vitailles, corne, and other kind of things whatsoever it be, as well within liberties and franchises as without, any graunts, allowance, or other thing to the contrary, or let therof notwithstanding. But such purueyor shall obserue the statutes for them prouided in euery behalfe. 27. H. 8. 25.

Taking of fish.

24 ¶ No Purueyor or other person whatsoever, shall by vertue of any commission or otherwise, take any herring, or sea fish, from any y^e Queenes Subiects, that shall take the same in the ships or other vessels of the said subiects, otherwise then by agreement of the owners or sellers of the said fish, vpon paine to forfeit. the double value of the herrings or fish so taken. And it is lawfull for any person being owner or seller of any such fish so taken, to withstand any person y^e wil (by colour of purueying or otherwise) demaund any such fish, or the toll of any such fish, without the good will of the owner or seller: Provided that y^e fish called Composition fish, heretofore graunted to the Q. by the subiects of this Realme traauiling into Island, shalbe taken by her Maiesties Officers and Purueyors, in such sort as the same hath bin lawfully used to be taken before the making of this act. And sauing to the Q. her heires & successors, & to al other persons, such fishes as be knowen & used to be called Regal fishes, whereunto her Maiestie or the said other persons haue or shall haue right or interest for such recompence as heretofore hath bin accustomed. 5. El. 5. 27. El. 11. to continue to the end of the next Parliament.

Composition
and regal fish.

How long Com-
missions for
the taking
of vitaille shall
endure.

25 ¶ Euery Commission that shalbe made, graunted, & directed to any person or persons, whereby he or they, or his or their deputies shall haue authoritie to take any Beues, Wethers, Lambes, Calues,

or

of any kind of salt fish, or any kinde of kindes of graine, or butter in barrells, or other vessels, cheese, bacon, Conies, Pigges, Geese, Capons, or Hennes, shall not continue aboue sixe moneths at y^e farthest, next ensuing the date of any the said Commissions, and after the ende of the said sixe moneths, euery of the said Commissions shalbe voyde, whatsoeuer words, matter, or sentences be contained in any of them.

2. & 3. P. & M. 6.

26 ¶ In euery such Commission, shalbe plainly aswell expressed such Countie or Counties, as any of the said beeuves, wethers, lambs, calves, hogges, or swine, or any kinde of Salt fish, or any kinde of kindes of graine, Butter, Cheese, Bacon, Conies, Pigges, Geese, Capons, or Hennes, is to be purueyed or taken in, by any of the persons, or their deputies so authorized by the said commission, as also the full portion and number of all such beeuves, wethers, lambes, &c. or any of them, as any of the said persons or their deputies shall be by force of the said commission authorized to take or puruey within any of the said Counties. An. 2. & 3. P. & M. 6.

In commissions
ons y^e countie
where, & the
quantitie of
things to be
taken, shalbe
expressed.

27 ¶ To euery such Commission shalbe annexed so many blaks in parchment as there shalbe severall Counties named within y^e sayd commission, in the which blanks shalbe faire and legeable witten, all and euery such beeuves, wethers, lambes, calves, swine, any kind of salt fish, or any kind of graine, butter, cheese, bacon, cunnies, pigs, geese, capons, and hennes, with the true and severall prices of euery of the, as shalbe purueyed and gathered by any person or his deputies thereunto authorized by any such commission, within any particular towne, parish, or hamlet, being within any those counties as shalbe expressed within the said commission, whereunto shalbe subscribed the name or signe manuel of euery such high constable, petit constable, or headborough, as shalbe by any precept to him directed by any person, or any of his deputies, authorized thereunto by such commission priuie or knowledging to the deliuey of the said beeuves, or other things aforesaid or any of them. 2. & 3. P. & M. 6.

Blanks annexed to commissions.

The high constables hand set to euery blanke.

28 ¶ Euery person or his deputie which shall bee by commission authorized to take any Beeuves, Wethers, Lambs, Calues, Swine, salt fish, or any kind of graine, butter in barels, or other vessels, cheese, bacon, conies, pigs, geese, capons, & hennes, or any of them, shal make a Docket or bzeefe in wzing subscribed with his name, containing all and euery such beeuves, wethers, and other things aforesaid, as hee shall by vertue of the said commission take win any particular towne, parish, or hamlet in any such countie or counties, as shall be expressed within the said commission, and the same Docket or bzeefe faire and leageably

Dockets deliuered to the high Constables.

Dockets deli-
uered to the
Iustices of
peace.

leageably written and subscribed, shall truly deliuer to the sayd high Constable, petit Constable, or headborough, at such present time, as the sayde beeuves, or other things aforesayd shalbe deliuered to any of them, vpon payne of one yeeres imprisonment, and to forf. a hundred markes to the D. & J. to be recouered by A. J. & c. wherein no W. & c. E. J. & c. as oft as he shall offend. All which dockets or briesfes, the sayde high Constable, petit constable, or headborough shall deliuer ouer to the Iustices of peace at the next generall sessions holden within any of the sayd counties. And the same Iustices or two of them, may and shall from time to time certifie the whole number and content of all and euery the said dockets and briesfes to the Lord Steward of the Queenes household, or to the Treasorer or Comptroller of the same, or any of them, or to the Treasorer or comptroller of the D. ships, if prouision of any the things before mencion be taken for the vitailing of the Hauie, or any of the Queenes Ships, whereby the true seruing of any of the foresayde Commissions, and true answering of the same shall fully appeare. An. 2. & 3. H. 6.

All former sta-
tutes prouis-
ded for pur-
ueyours must
be obserued.

29 ¶ It is not lawfull to any person, or his deputie aucthorised by such commission, to leue, take, or puruey any Beeues, Wethers, Lambes, Calues, any kinde of salt fish, Grayne, Butter in vessels, Cheese, Bacon, Conies, Pigs, Geese, Capons, and Hennes, or any of them, in any other sort then is expessed in seuerall statutes heretofore made for Purueyours, vpon such paines, as in the sayde seuerall statutes is contained. 2. & 3. H. 6.

Statutes pro-
uided for pur-
ueyours shall
extend to their
deputies.

30 ¶ All such lawes, statutes, and prouisions as heretofore haue bene made against purueyours, and euery of the penalties and losses appointed in any of the same against Purueyours & takers, shall also be extended & executed vpon euery of their vnder takers, deputies, and seruants. And all other which by colour shal take any vitaille or any other thing by force of any such Commission from any the Queenes subjects, contrary to the tenor & effect of any of the said lawes or statutes, in like maner to all intents, as the same should or ought to be extended against Purueyours and takers themselves, & as strongly as if the said vntertakers, deputies, and seruants were specially and particularly named in euery of the same estatutes. 2. & 3. H. 6.

Commissions
written in the
English
tongue.

31 ¶ Every Commission that shall be made and graunted vnto any Purueyor, shalbe written in the English tongue, and not otherwise. 2. & 3. H. 6.

Puruepance
within Cam-
bridge or Ox-
ford, or five
miles thereof.

32 ¶ No Purueyor, Taker, Badger, Lader, Pulter, or other minister for the Queene & c. nor any other comon Pulter, shall take, or bargain for any kinde of vitaille or graine in any of the markets

or Townes of Cambridge, or the Citie of Oxford, nor within the compasse of five miles thereunto adioyning, without the consent and licence of either of the Chauncellores or Vicechauncellores in writing obtained vnder the seale of the Office of the sayd Chancellor or Vicechauncellore of eyther of the sayd Uniuersties, and in no other forme then in the sayd licence shalbe expressed, so as the same giue not to any of the sayde purueyours or others, any further auctoritie then they haue, or may lawfully vse in those partes of the same countrey, being without the sayde limits of five miles. Neither shall attempt to take away, or bargaine for any grayne & other vitaille bought and prouided within the sayde space of five miles, by any common minister of any Colledge, Hostel, or Haule, to be spent within any of the same Colledges, Hostels, or Haules, without like licence, and in no other forme then is next afore mencioned, vpon paine of forfaiture of the quadruple value of any such graine or vitaille so taken or bargained for, in any of the sayde markets, or within the space of five miles, or attempted to be taken, caried away, or bargained for, being prouided to be spent in any of the said colledges, hostels, or haules: The one halfe of which forfeitures shall bee to the common Treasorer of either the said vniuersities, respectiue to the fault committed against this their priuiledge, the other to the partie that will sue for the same by A. J. & c. in any Court of Record, or before the foresayde Chauncelour or his Vicechauncellore, or Commissarie, and two Iustices of peace of the Countie where the sayde Uniuerstie is set, and further shall suffer imprisonment for the space of thre Moneths, without bayle or mainprise. 2. & 3. R. & P. 15. 13. El. 21. 14. El. 11. See Iustices of peace. 60.

33 ¶ If any person within the said precinct of five miles, shal refuse reasonably to serue the necessary prouision of the saide Uniuersties, according to the true meaning of this act, then it shalbe lawful to any of the Takers or Purueyours to prouide any corne or vitaille of any such person within any part of the precinct aforesaid, to the vse of the Takers as shalbe declared to the said Takers to be persons not worthy of the said priuiledge, (for not reasonable seruing the necessities of the said Uniuersties) by the Chancellor or Vicechancellor of either of the said Uniuersties, with the consent of two Iustices of peace resident within either of the said Uniuersties, citie, towne or countie, vnder their hands and seales, as the said Purueyours lawfully may in any other place within the saide precinct of five miles, and not otherwise. 13. El. 21. 14. El. 11.

34 ¶ But this Acte shall not bee put in execution at any time,
O. o. i. when

Purveyors
may take of
them which
refuse to serue
the vniuersities.

The act sus-
pended during the
R. continu-
ance within
vii. miles.

whensoeuer the Q. her heires or successors shall come to any of both the sayde Uniuersities, or within vii. miles of either of them, but shall be in suspence during that time onely, any no longer. 13. El. 21. 14. El. 11. 27. El. 11.

The libertie of
Oxford and
Cambridge
referred.

35 This act shall not be prejudicial to the Mayor, Bailiffs, and comminalltie of the citie of Oxford, nor to the Mayor, or comminalltie of the Towne of Cambridge, or to their successors, concerning any of their liberties or priuiledges. But euery of them and their successors respectiue may haue and vse the same in such maner, as they ought to haue done before &c. 2. & 3. H. 8. 15. 13. El. 21. 14. El. 11. 27. El. 11. to continue in force vntill the end of the next Parliament, now next ensuing.

1 That no Purueyour of tymbre shall fell any timber to the Queenes vse, but onely in Barking time, or els shall take away any more then onely the timber tree. S. Barke. 2.

2 That the Statute prouided 35. H. 8. for the preservation of woods, shall not extend to woods purueyed by the Queenes Commission. S. Woods 17.

3 Concerning Purueyours for Cities and corporate Townes. S. Badger. 4.

Quare impedit.

Proces in
Quare impedit.

In assises of Darreine presentment, and in the plee of Quare impedit, of Churches being boyde, dayes shall be giuen from xv. dayes to xv. dayes, or from iii. weekes to iii. weekes, as the place shall be neere or farre of. And in the plee of Quare impedit, if the disturber do not come at the first day whereunto he is summoned, nor do cast an Essoine, then he shall be attached against another day, in which day if he come not, nor cannot cast an essoine, he shall be distrained by the graund distresse, and if he doe not then appeare, by his default the Bishop of the same place shall be written vnto, that the disturbers deniall shall at this time nothing hinder the plaintife: Sauing the disturbers right another time when he will sue. Marle. 5 2. H. 3. 12.

Queene, Crowne, and supream gouernement.

The Queene
enioyeth all
regall power
as king.

The lawe of this Realme is, and euer hath bene, and ought to be vnderstanded, that the kingly or regall Office of this Realme, & all dignities, Prerogatiue, royal power, preheminences, priuiledges, auctorities, and iurisdictions thereunto annexed or belonging, being inuested,

inuested, either in male or female, are, and be, and ought to be, as fully and entirely accepted, inuested, and taken in the one, as in the other, so that what or whensoever statute or lawe doth appoynt, that the King of this Realme may or shall haue, execute, and doe any thing as king, or doth giue any commoditie to the king, or doth appoint any punishment for the correction of offenders against the regaltie and dignitie of the king or of the Crowne, the same Q. (being supreme gouernesse, possessor, & inheritor to the imperial Crowne of this Realme, as our soueraigne Lady the Q. most iustly presently is) may by the same auctoritie likewise haue, exercise, execute, correct, and doe to all intents without doubt or question. 2. P. 2. Parliament 1.

2 ¶ No foraine Prince, Person, Prelate, State, or Potentate spirituall or temporall, shall vse, enioy, or exercise, any maner of power, iurisdiction, superiourtie, auctoritie, preheminance, or priuiledge spirituall or ecclesiasticall, within this Realme, or within any other the Queenes dominions that now be, or hereafter shall be, but the same shall be cleerely abolished out of all her dominions for euer. 1. Cl. 1.

All foraine power abolished.

3 ¶ Such iurisdiccions, priuiledges, superiourties, and preheminences spirituall, as by any spirituall power hath heretofore bene, or may lawfully be vied for the visitation of the ecclesiasticall state and persons, and for reformation, order, and correction of the same, and of all maner errors, heresies, schismes, abuses, offences, contempts, & enormities, shall for euer be vnited to the imperial Crowne of this Realme. And the Q. her heires and successors, Kings and Queenes of this Realme, shall haue full power by letters patents vnder the great seale, to name and authorize when, as often, & for so long time, as her highnes, her heires or successors shall thinke meete, such person or persons (being naturall borne subiects to her grace, her heires and successors) as she or they shall thinke meete, to occupy & execute vnder her &c. all maner Iurisdiccions, priuiledges, & preheminences in any wise concerning any spirituall iurisdiction, within England & Ireland, or any other the Queenes dominions, & to visite, reforme, order, correct, & amend all such errors, heresies, schismes, abuses, offences, contempts and enormities, which by any ecclesiasticall power may lawfully be ordered, corrected or amended, to the pleasure of God, the increase of vertue, and the conseruation of the peace, and vnitie of this Realme. And such person or persons so authorized by the Q. &c. after the sayde letters patents to him or them deliuered, shall haue auctoritie vnder the Q. &c. to vse and execute all the premisses, according to the tenor and effect of the sayd letters patents &c. 1. Cl. 1.

Ecclesiasticall iurisdiccions annexed to the Crowne.

Commissioners in causes of Religion.

4 ¶ Every person hereafter particularly named, shall make, take, and receiue a corporall oth vpon the Euangelists, according to the tenor and effect following before such persons, at such places, & in such times, as be hereafter specified,

The Othe.

I. A. B. doe vtterly testifie, & declare in my conscience, that the Q. highnes is the onely supreme gouernour of this Realme, and of all o-ther her highnes dominions and Countreys, as well in all spirituall, or Ecclesiasticall things or causes, as temporall. And that no foraine Prince, Person, Prelate, State, or Potentate, hath or ought to haue any iurisdiction, power, superiortie, preheminence, or aucthoritie, ecclesiasticall, or spirituall, within this realme, and therefore I doe vtterly renounce, and forsake al foraine iurisdiccions, powers, superiorties, and aucthorities, and do promise that from henceforth I shall beare faith and true alegiance to the Queenes highnesse, her heires & lawfull successors, and to my power shal assist and defend all iurisdiccions, priuiledges, preheminences & aucthorities, graunted or belonging to the Queenes highnesse, her heires and successors, or vnited & annexed to the imperiall Crowne of this realme, so helpe me God, and by the contents of this booke. i. Cl. i.

These persons shall take the othe.

5 ¶ Al & euery Archbishop, Bishop, and euery other ecclesiasticall person, and ecclesiasticall officer or minister, and euery Judge, Justice, Maior, and other lay or temporall officer, and euery other person ha-uing the Queenes fee or wages, within any her dominions, shal receiue the same oth before such person or persons, as it shall please the Q. &c. vnder the great seale of England to assigne to take y same. And euery person that at any time shal be preferred &c. to any Archbishopricke, or Bishopricke, or to any other ecclesiasticall benefice, promoti-on, dignity, office, or ministry, or that shalbe by y Q. preferred to any temporall or lay office, or ministry, or seruice, within any her dominions, before he shall take vpon him to receiue, vse, exercise, supply, or oc-cupy any such Archbishopricke, bishopricke, promotiō, dignitie, office, &c. shall receiue the same oth before such persons as shall haue auctho-ritie to admit any such person to any such office &c. or else before such person &c. as by the Q. &c. vnder the great seale, shalbe assigned, to minister the said othe. And euery person temporall, suing liuery, or Ouster le maine, out of the hands of the Q. &c. before his liuery, or Ouster le maine sued forth and allowed. And euery temporall person doing any homage to the Q. &c. or that shall be receiued into seruice with her &c. shall take the foresayde corporall othe before the Lorde Chauncelor, or Lord keeper &c. or before such person &c. as by the Q. &c. shall be appoynted to receiue the same. And euery person taking orders,

orders, and euery other person which shalbe preferred to any degree of learning in any Uniuersitie within this Realme or dominions, before he shall receiue such orders, or be preferred to such degree of learning, shal take the foresaid othe before his Ordinarie, Commissarie, Chancellor, or Vicechancelour, or their sufficient deputie in the said Uniuersitie. i. El. i. And all other persons which haue taken, or shal take orders, commonly called Ordines sacros, or Ecclesiasticall orders, haue beene or shalbe preferred, or admitted to any degree of learning in any Uniuersitie within this Realme, or dominions to the same belonging. And all Scholemasters, publique & priuat teachers of children, as also, al persons þ haue taken, or shal take any degree of learning, in, or at the common lawes of this Realme, aswel vtter Barristers, as Benchers, Readers, ancients in any house or houses of court, & al principal Treasurers, & such as be of the graund company in euery Inne of Chauncery. And all Atturneys, Prothonatores, & Philizers, towards the lawes of this Realme, and all maner of Sheriffes, Escheatores, & Feodaries, and al other person and persons which haue taken, or shal take vpon him or them, or haue beene or shalbe admitted to any mynisterie, or office, in, at, or belonging to the common Law or any other Lawe or lawes, or to, or for the execution of them, or any of them vled or allowed, or at any time hereafter to be vled or allowed, within this Realme or any þ dominions or countreys, belöging, or which hereafter shal happen to belong to the crowne, or dignities of þ same. And al other officers or ministers, of, or towards any Court whatsoever, and euery of them shal take & pronounce a corporall othe vpon þ Euangelists, before he or they shalbe admitted, allowed, or suffered, to take vpon him or them to vle or occupie any such vocation, effice, degree, ministerie, roomth or seruice, as is aforesaid, and that in the open Court, whereunto he doeth or shall serue or belong. And if he doe not, nor shall not serue nor belong to an open Court, then he shall take the othe aforesaid, in an open place before a conuenient assembly to witnes the same, and before such person or persons as haue authoritie by common vle or otherwise, to admitte or call any such person to any such vocation, roomth, or seruice, or els before such, as by the Queenes commission vnder the great seale shalbe assigned to accept the same, according to the tenor, effect, and fourme of the same othe Verbatim, And euery person which shalbe elected or appointed a Knight, Citizen, or Burges, or Baron for any of the five Portes, for any Parliament, shall before hee shall enter into the Parliament house, or haue any voice there, openly receiue and pronounce the said oth before þ Lorde Stewarde, or his Deputie or Deputies appointed. And hee which

shall enter into the Parliament house without taking the saide othe, shalbe deemed no knight, citizen, burgesse, nor baron for the parliament, nor shall haue any voyce, but shalbe to all intents, as if he had neuer bene returned, nor elected Knight, Citizen, Burgesse, or Baron for the Parliament, and shall suffer such paines and penalties, as if he had presumed to sit in the same, without election, returne, or aucthoritie. And euery Archbishop, and Bishop, haue power to tender the oth aforesaid, to euery or any spiritual person, within his proper Diocesse, as well in iurisdictions &c. exempt, as els where. 5. El. 1.

To whom Bishops may tender the oth.

The punishment of the refusall of the Othe.

6 ¶ If any person appoynted, or compellable by either of the acts made An. 1. El. & 5. El. to take y^e said oth, or any person to whom the saide othe shalbe tendered by others hauing thereunto aucthoritie by commission directed vnto them by the Lorde Chaunceloz &c. or Lord Keeper, vnder the great seale of England (which without further warrant hath aucthoritie to direct such commission) shall at the time of the saide othe so tendered, refuse to take or pronounce the same in maner & forme aforesaid, then the partie so refusing, & being thereof lawfully indicted, or presented, win one yere next after any such refusal, and conuicted or attainted at any time after, according to the law, shall suffer and incurre the paines, penalties, and forfeitures, prouided by the statute of Prouision and Premunire, made 16. R. 2. 5. El. 1.

Certificat of the refusall into the Kings bench.

7 ¶ All and euery such person and persons, hauing aucthoritie to tender the othe aforesayde, shall within xl. dayes next after such refusall of the sayde othe, if the Terme bee then open, and if not, then at the first day of the full Terme next following the said fortye dayes, make true certificat vnder his or their Seale or Seales, of the name or names, places and degrees of the person or persons so refusing the same othe in the Kings Bench, vpon payne that euery of the sayde persons hauing such aucthoritie making default of such Certificate, shall for euery such default forfeite C. ponde to the Queene &c. And the Sherife of the Countie where the Kings Bench shall be holden, shall or may impanell a Jury of the same Countie, to enquire of euery such refusall, which Jury shall and may vpon euery such certificat, and other euidence to them giuen, indict the offender, in such sorte, as they may doe of any offence committed against the Queenes peace, within the same countie &c. 5. El. 1.

The 2. refusall of the othe.

8 ¶ If any of the persons appoynted by this Act, to take the othe aforesayde, doe after the space of thre moneths next after the first tender thereof, the second time refuse to take, and pronounce, or doe not take or pronounce the same, in fourme aforesayde to be tendered;

dered: Then every such offendour, for the same second offence, shall forfeite and suffer such like, and the same paines, forfeitures, Judgements, and execution, as is vsed in cases of high Treason. But this act &c. or any attainder to be had by force thereof, shall not extend to make any corruption of blood, the disinheriting of any heire, forfeiture of dower, nor to the prejudice of the right or title of any person, other then of the offendour, during his naturall life onely. And it shall and may bee lawfull to every person and persons to whome the right or interest of any landes, tenements, or hereditaments, after the death of any such offendour should or might haue appertained, if no such attainder had bene, to enter into the same, wout any Ouster le maine to be sued, in such sort, as he or they might haue done, if this act had neuer bene made. 5. El. 1.

9 ¶ This act shall not extend to compell any temporall person, of, or aboue the degree of a Baron of this Realme, to take or pronounce the othe aforesayde, nor to incurr any penaltie limited by this act for not taking or refusing the same. 5. El. 1. Barons.

10 ¶ No person shall be compelled by vertue of this act to take the othe aboue mencioned, at the second time of offering the same according to the forme appoynted by this statute, except hee hath bene, is, or shalbe an ecclesiasticall person, that had, hath, or shall haue in the time of one of the reignes of the Queenes Father, Brother, or Sister, or in the time of the raigne of the Queene, her heires or successours, charge, cure, or office in the Church, or such person as had, hath, or hereafter shall haue any office or ministerie, in any Ecclesiasticall Court of this Realme, vnder any Archbishop or Bishop, in any the times or raignes aforesayde, or such as shall wilfully refuse to obserue the orders for deuine seruice, that be authorized to be vsed and obserued in the Church of England, after that he shalbe publikely by the Ordinarie, or some of his officers for ecclesiasticall causes, admonished to keepe and obserue the same, or such as shall openly, and aduisedly depraue by wordes, writings, or any other open fact, any of the rites and ceremonies at any time vsed, and aucthorised to be vsed in the Church of England, or that shall say, or heare the priuate Masse, prohibited by the lawes of this Realme. And all such persons shalbe compellable to take the othe vpon the second tender of the same, and incurr the penalties for not taking of the sayde othe, and none other. An. 5. El. 1. Who shal take the oth vpon the second tender.

11 ¶ The othe expressed in the said act made 1. Eliz. shall be taken and expounded in such forme, as is set forth in an Admonition annexed to the Queenes Injunctions, published An. 1. of her Raigne, The exposition of the Othe,

Queene, Crowne.

bz. to confesse and acknoweldge in her, her heires and successors, none other authoritie then that, which was challenged and lately vled by king H. 8. and king Ed. 6. 5. El. 1.

Compassing to
deprive the Q.
destroy her, or
to leup warre.

12 ¶ If any person or persons do maliciously, aduisedly, and directly, compasse, or imagine to deprive our Soueraigne Ladie Queene Elizabeth, or the heires of her body to bee begotten, being Kinges or Queenes of this Realme, from the stile, honor, and Kingly name of the imperiall Crowne of this Realme, or from any other Realmes and dominions vnto her appertaynyng and belonging, or to destroy the Queene that now is, or any the heires of her body being Kinges or Queenes of this Realme, or to leuie warre within this Realme, or within any the Marches or dominions to the same belonging, against the Queene, or any the heires of her body being Kinges or Queenes &c. or to depole the Queene, or any the heires &c. from the Imperiall Crowne of the Realmes or dominions aforesayde, and the sayde compasses or imaginations, or any of them, maliciously, aduisedly, and directly shall or doe utter, by open preaching, expresse wordes, or sayinges. Or if any person or persons shall maliciously, aduisedly, and directly say, publish, declare, mayntaine, or holde opinion, that the Queene that now is, during her life is not, or ought not to be Queene of this Realme, or after her death, that the heires of her body being Kinges or Queenes of this Realme of right ought not to bee Kinges or Queenes of this Realme, or that any other person or persons other then the Queene during her life ought to bee King or Queene of this Realme or any other the Realmes or dominions aforesayde, or after her death, other then the heires of her body being Kinges or Queenes of this Realme, as long as any of her sayd heires of her body begotten shall be in life, of right ought to haue and enioy the imperial Crowne of this Realme, or any the Realmes or dominions aforesayde: Then euery such offendour being thereof duely conuicted or attaynted &c. their abbettors, procurors, and counsaillours, and all and euery their comforters knowing the sayde offences, or any of them to bee done, and being thereof duely conuicted or attainted, shall forfeite to the Queene &c. al his and their goods and cattels, and the whole profits of his and their landes, tenementes, and hereditamentes, for terme of his or their liues, and also shall suffer during his or their liues, perpetuall imprisonment, And euery ecclesiasticall person, being conuicted or attainted, of any of the offences aforesayde, shall for his offence immediatly bee iudged, and remaine to all intents deprived of all his spiritual benefices and promotions. And euery patron, founder, and giuer, may pre-
sent

Maintaining
that the Q.
ought not to
enjoy p crown
but some other

D. 17. a great
punishment
ment &c.

sent an other presently to the same, as if the incumbent were deceased. But no person shall be in any wise impeached, for any of the offences above said, committed onely by open preaching or wordes, vnlesse the offender be thereof indicted, within vi. moneths next after y^e same preaching or wordes. i. El. 6.

Ecclesiastical person offending.

13 And if any person being convicted or attainted of any the said offences in forme aforesayde committed, shall after his conviction, or attainder eftsoones commit any of the sayd offences in forme aforesaid, then euery such seconde offence shall be adiudged high Treason, and the offenders therein, their abettors, procurors, and Counsaillours, and al and euery their aidors & comforters, knowing any of the said offences to be done, being thereof convicted or attainted, according to the lawes & statutes of this Realme, shall be adiudged high Traitors &c. i. El. 6.

The seconde offence.

14 If any person or persons, by any writing, printing, ouert deed or act, maliciously, aduisedly, and directly affirme, y^e the Queenes Maiestie that now is, ought not to haue and enioy the stile, honor, and kingly name of this realme, or that any person or persons, other then the Queene that now is, ought to haue or enioy the same, or that the Queene that now is during her life, is not, or ought not to bee Q. of this Realme, or after her death the heires of her body being kinges or Queenes of this Realme, of right ought not to haue and enioy y^e Imperiall crowne of this realme, or that any person or persons, other then the Queene that now is, during her life, & after her death, other then the heires of her body begotten, being kinges or Queenes of this Realme, as long as any of her said heires of her body shall be in life, of right ought to haue, and enioy the imperiall crowne of this Realme: Then euery such offence shall be adiudged high Treason, & the offender or offenders therein, their abettors, procurors, & counsaillors, and al & euery their aidors and comforters knowing the said offences or any of them to be done, being thereof lawfully conuicted, or attainted, by the lawes of this realme, shall be adiudged high traytors, &c. & shall suffer death & forf. to the Queene al their lands &c. as in cases of high treason: Sauing to all persons, other then to the offenders, their heirs and such as claime to their vse, all such rightes, titles, leases, rents, reuerfions &c. which any of them shall haue at the day of committing such treason, or any time before &c. i. El. 6.

affirming that the Queene ought not to enioy y^e crowne

15 The counsaillors, procurors, comforters & abettors, mentioned in this act, for his or their first offence shall suffer like punishment, penaltie, and forfature, as is contained in this act against the principall offenders for their first offence, and none other. And the counsaillors

The punishment of the Counsaillors.

counsaillors &c. for their seconde offence shall sustaine like punishment &c. as is contained in this act against the principal offenders, for their second offence, and none other. 1. El. 6.

No man shall
be indicted or
arraigned wth
out sufficient
witness.

16 ¶ No person shalbe indicted, or arraigned for any offence made treason or misprision of treason, by this acte, vnlesse the same offence bee proued by the testimony & othe of two lawfull & sufficient witnesses at the time of his indictment, which witnesses also at the time of his arraignment, (if they be then liuing) shalbe brought forth in person before the party so arraigned, face to face, & there shal auow and openly declare al they can say against him, vnlesse he shal willingly, without violence confesse the same. 1. El. 6.

Imagining
destruction to
the Queenes
person.

17 ¶ If any person or persons whatsoeuer, during the natural life of our soueraigne Lady M. Elizabeth shall within the Realme, or without, compasse, imagine, inuent, deuise, or intend the death or destruction, or any bodily harme, tending to death, destruction, maim, or wounding of the royal person of the same our soueraigne Lady, or to depriue or depose her, of or from the stile, honour, or kingly name of the imperial crowne of this realme, or of any other Realme or dominion to her maiestie belonging, or to leuy warre against her within this realm, or wout, or to moue any foreiners or strangers with force to inuade this realme, or the realme of Ireland, or any other her dominions being vnder her obeisance, and such compasses, imaginations, inuentions, deuises, or intentions, or any of them, shall maliciously, aduisedly, and expressly declare by any printing, writing, ciphing, speech, words, or sayings: Or if any person or persons, shal maliciously, aduisedly, & directly publish, declare, holde opinion, affirme, or say, by any speech, expresse words, or sayings, that our said soueraigne Lady M. Elizab. during her life, is not, or ought not to be M. of this realme of England, and also of the realmes of France & Ireland, or y any other person or persons ought of right to be king or M. of the said Realmes of England & Ireland, or of any other her dominions, being vnder her obeylaunce, during her life, or shall by writing, printing, preaching, speech, expresse words, or sayings, maliciously, aduisedly, and directly publish, set forth, & affirme, y our soueraigne Lady M. El. is an heretike, scismaticke, tirant, infidel, or any vsurper of the Crowne of y sayd realmes, or any of them: Then euery such sayd offence shalbe deemed and taken high treason, and aswell the principall offender, or offenders therein, as al & euery the abbetors, counsellors, and procurors, to the same offence, & al and euery aydors, and comforters of the same offender or offenders, knowing the same offence to be committed in any place within this realme or without, being therof lawfully and duely indicted,

Affirming that
the Queene
ought not to
enioy y crown
but some other

Affirming that
the M. is an
heretike, tirant,
vsurper &c.

indicted, convicted, and attainted, according to the vsuall order of the common lawes, or according to the act made, 35. H. 8. 2. (concerning trial of treasons, committed out of the Queenes dominions) shall be iudged &c. Traitors to the Queene and the Realme, and shall suffer death, and also forfait vnto the Queene &c. as in cases of high treason, Anno. 13. El. 1.

18 ¶ All and euery person and persons, of what degree, condition, place, nation, or estate so euer they bee, which shall at any tyme in the life of our soueraigne Lady Queen Elizabeth in any wise claime, pretende, vtter, declare, affirme, or publish themselves or any of them, or any other then our Soueraigne Lady Elizabeth the Queenes maiestie that nowe is, to haue right or title to haue or enioy the crowne of Englande, during, or in the life of our sayde Soueraigne Lady, or shall vsurpe the same Crowne, or the Royall stile, title, or dignitie of the Crowne or Realme of Englande, during or in the life of our saide Soueraigne Lady, or shall holde and affirme, that our said soueraigne Lady hath not right to holde & enioy the said crowne and realme, stile, title, or dignitie, or shall not after any demaunde, on our said soueraigne Ladies part to be made, effectually acknowledge our said soueraigne Lady to be in right, true and lawfull Q. of this Realme, They and euery of them so offending shalbe vtterly disabled during their natural liues only, to haue or enioy the Crowne or Realme of England, or the stile, title, or dignitie thereof, at any time in succession, inheritance, or otherwise after the decease of our sayd soueraigne Lady, as if such person were naturally dead, any law or matter &c. notwithstanding. 13. El. 1.

S. Treas. 10. claiming right to the crowne or vsurping the same.

19 ¶ If any person shall during the Queenes life, in any wyse hold, affirme, or maintaine any right, title, interest, or possibilitie in succession or inheritance, in, or to the Crowne of England, after our said soueraigne Lady the Queene, to be rightfully in, or lawfully due or belonging vnto any such claimor, pretendor, vsurpor, vtterer, declarer, affirmer, publisher, or not acknowledger, so that our sayd Soueraigne Lady the Queene, shall by proclamation to bee published through the realme, or else in the more part of those Shires of this realme, as wel on the Southside, as y^e North side of Trent, & also in the dominion of Wales, in which shires no war or rebellion then shal be: set forth, notifie, & declare such claiming, pretence, vttering, declaration, affirming, publishing, vsurpation, or not acknowledging: then euery person which after such proclamation shal during the Queens life, maintaine, hold, or affirme any right in succession, inheritance, or possibility, in, or to the Crowne or Realme of England, or the right thereof

Affirming the right in succession of the crowne in soe other then the Queene.

thereof to be in, or to any such claimer, pretender, vtterer, declarer, affirmer, vsurper, publisher, or not acknowledger, shalbe a high traitor, and suffer and forfeite as in cases of high Treason is accustomed, 13. Cl. 1.

Maintaining
that the lawes
do not limit or
bind the right
of the crowne.

20 ¶ If any person shall in any wise holde, and affirme, or mayntaine that the common lawes of this Realme, not altered by Parliament ought not to direct the right of the Crowne of Englande, or that our Soueraigne Lady Queene Elizabeth, with and by the authoritie of the Parliament of Englande, is not able to make lawes & statutes of sufficient force, to limite and binde the crowne of this Realme, and the descent, limitation, inheritance & gouernement thereof: or that this statute, or any part thereof, or any other statute to bee made by the authoritie of the Parliament of Englande with the Queenes Royall assent for the limiting of the Crowne, or any statute for recognising the right of the sayde Crowne and Realme, to be lawfully in the person of the Queene, is not, are not, or shall not, or ought not to be for euer of sufficient force to bind, limit, restraine, and gouerne all persons, their rightes and titles, that in any wise may or might claime any interest or possibilitie in or to the Crowne of England, in possession, remainder, inheritance, succession, or otherwise howsoever, and al other persons whatsoever: every such person so holding, affirming, or maintaining, during the life of the Queene, shalbe iudged a high Traitor, & suffer and forfeit as in cases of high treason are accustomed, and every person so holding, affirming, or maintaining, after the decease of our said soueraigne Lady shall forfeite all his goods and cattels, 13. Cl. 1.

Declaring by
bookes who
ought to be the
Queens heire
or successors.

21 ¶ Whosoever shall during the life of our sayde Soueraigne Lady, by any booke or worke printed, or written, directly and expressly declare, and affirme at any time before the same bee by act of Parliament established, that any one particuler person, whosoever it be, is or ought to be the right heire, and successor to the Queenes Maestie that now is, except the same be natural issue of her body: Or shall wilfully set vp in open place, publish, or spread any bookes or scroules to that effect, or shall print, binde, put to sale, or vtter, or cause to bee printed, bounde, or put to sale, or vttered any such booke or writing wittingly, he or they, their abbetors, and counsailors, and euery of the shal for the first offence, suffer imprisonment one whole yeere, & forfeit halfe his goods to the Q. & I. to be rec. by A. J. &c. wherein no E. P. &c. and if any shall estsoones offend therein, then euery of them, their abbetors & counsailors shal incurre the paines and forfeitures, which in the Statuts of Pouillon or Premunire, are appointed and limited:

Sauing

Having to every person, other then the offenders & their heires &c. at their right, title &c. 13. El. 1.

22 ¶ No person shalbe arraigned for any the offences mencioned in this act, to be committed within any the Queenes dominions, vnlesse the offendour be thereof indicted within vi. moneths next after y^e same offence committed. And no person shalbe arraigned for any the offences mencioned in this act, to be committed out of any y^e Queens dominions, vnlesse the offender be therof indicted within one yere next after the offence committed. 13. El. 1.

Within what time the offenders shalbe indicted.

23 ¶ No person shalbe arraigned for any the offences mencioned in this act, vnlesse the same offence be proued by the testimonie & othe of two sufficient witnesses, which shal at the time of the arraignment of such person be brought forth in person before the party so arraigned, face to face, and there shal auow, & openly declare al they can say, against the party arraigned, vnlesse he shal willingly without violence, confesse the same. 13. El. 1.

None shalbe arraigned vpon any of those offences except the same be proued by two witnesses.

24 ¶ The aidors & comforters of such of the offenders aforesaid, as shal maliciously &c. affirme that the Q. is an heretique, scismaticke, tyrant, infidel, or vsurper &c. shall for his said first offence of aiding and comforting the said last recited offender, knowing the same offence to be committed, incurre onely the daunger and penaltie of Premunire, mencioned in y^e statute of Premunire, made 16. R. 2. And such aydors and comforters of the offenders aforesaid last recited, knowing y^e same offences to bee committed, which after their first conuiction & attainder thereof shall elsoues offend, shall for their second offence be adiudged high traytors. 13. El. 1.

The punishment of the aidors & comforters.

25 ¶ But the giuing of charitable almes in money, meat, drinke, apparell, or bedding for the sustentation of the body or health of any person, that shal commit any the offences made treason, or Premunire, by this act, during the time that the same offender shalbe in prison, shal not be taken to be any offence. 13. El. 1.

Charitable reliefe of the offender.

26 ¶ By the statute made 35. H. 8. 1. the crowne of England was entailed after the death of king H. 8. & king Ed. 6. dying wout heires of their bodies, to the Lady Mary one of the daughters of the sayde king H. 8. & to the heires of her body lawfully begotten. And for default of such issue, to our soueraigne Lady Queene Elizabeth, by the name of the Lady Elizabeth the said king H. 8. second daughter, and to the heires of her body lawfully begotten, & for lacke of lawful heires of the said Lady Mary, & Lady Elizabeth, to such person or persons, in remainder or reuerſion, as it should please the said king H. 8. according to such estatute, and after such maner and forme, order, fashon, & condicion,

The Crowne of England entailed.

conditio, as should be expressed, declared, named, & limited in the said king H. 8. his letters patents, or by his last will in writing signed with his hand. And by the statute made 1. El. 3. the estate, right, title, & succession in the imperial Crowne of England is recognised, knowledged, and confessed to be in, and to our soueraigne Lady Q. Elizabeth, & the heires of her body to be begotten. And there it is further ordered by the said recognition, declaration, & confession, as also the limitation & declaration of the succession of the imperial crowne mentioned & contained in the foresaid act of 35. H. 8. should stand, remaine, & bee the law of this realme for ever, & by the said statute of 1. El. 3. all sentences, iudgements, & decrees made, set forth, & published, and every branch, article, or matter contained & expressed in any act of Parliament, repugnant or contrary to the said recognition, or any part thereof, or to the said limitation of the succession of the crowne, established by the statute of 35. H. 8. were made frustrate and voyde.

Inuasion into
the Realme of
hert attempt-
ed to the
Queens per-
son by or for
any pretens-
ing title to
the Crowne.

27 ¶ If at any time after the end of this present session of parliament any open inuasio, or rebellio shalbe had or made into or within any of her maiesties Realmes or dominions, or any act attempted, tending to the hurt of her Maiesties most royal persō, by or for any persō that shal or may pretend any title to the crowne of this realme after her maiesties decease: or if any thing shalbe compassed or imagined, tending to the hurt of her maiesties royal persō, by any person, or to the priuity of any person that shal or may pretend title to the crowne of this realme: Then by her maiesties comission vnder her great seale, by Lords & others of her highnes priuy counsel, & such other Lords of parliament to be named by her maiestie, as in the said priuy counsell shal make up the number of 24. at the least, hauing in the for their assistance in the behalfe, such of the Judges of the courts of record at Westm. as her highnes shal for the purpose assigne & appoint, or the more part of the same counsel, Lords & Judges, shal by vertue of this act haue authority to examine all & euery the offences aforesaid, & all circumstances thereof, & therupon to giue sentence or iudgement, as vpon good prooffe the matter shal appeare vnto the: And after such sentence or iudgement giuen, and declaration thereof made, & published, by her maiesties proclamation vnder the great seale of England, all persons, against whom such sentence or iudgement shalbe so giuen & published, shalbe excluded & disabled for ever, to haue or claime, or to pretend to haue or claime the crowne of this realme, or any her maiesties dominions, any former law or stat. whatsoeuer to the contrary in any wise notwithstanding: And therupon all her highnes subjects shal & may lawfully by vertue of this act & her maiesties directio in that behalfe, by all forcible & possible means pursue to death euery such wicked person, by whom, or by whose means, assent or priuity, any
such

such inuasiō or rebellio shalbe in forme aforesaid denoſced to haue bin made, or such wicked act attēpted, or other thing cōpassed or imagined against her maiesties person, & all their aidors, cōfortors, & abbetors, 27. Cl. 1.

28 ¶ If any such detestable act shalbe executed against her highnes most royal person, wherby her maiesties life shalbe takē away (which God of his great mercy forbide) the euery such persō, by or for whō any such act shalbe executed, & their issues being any wise assenting or priuy to y^e same, shal by vertue of this act be excluded & disabled for euer to haue or claime, or to pretend to haue or claime y^e said crowne of this realm, or of any other her highnes dominions: Any former law or stat, whatsoeuer to y^e cōtrary in any wise notwithstanding. And al y^e subiectes of this realm, & al other her maiesties dominions, shal & may lawfully by vertue of this act by al forcible & possible means, pursue to death euery such wicked persō, by whō, or by whose means any such detestable fact shalbe in forme hereafter expressed, denoſced to haue bene cōmitted, & also their issues, being any way assenting or priuy to the same, & al their aidors, cōfortors, & abbetors in that behalfe. 27. Cl. 1.

They be disabled to inherite y^e crowne, which execute any act to take away the Quenes life.

29 ¶ To y^e end that the intentiō of this law may be effectually executed, if her maiesties life shalbe takē away by any violent or vnnatural means (which God defend) the Lords & others which shalbe of her maiesties priuy counsell at y^e time of such her decease, or the moze part of y^e same counsell, ioyning vnto them for their better assistance 5. other Earles, & 7. other Lords of parliament at the least (foresceing y^e none of y^e said Earles, Lords or counsell be knowen to be persōs y^e may make any title to y^e crown) those persons which were chief Iustices of either bench, master of y^e rolles, & chief baron of the Eschequer, at the time of her maiesties death, or in default of the said Iustices, M. of the rolles & chief barō, some other of those which were iustices of some of y^e courts of record at West. at y^e time of her highnes decease, to supply their places, or any 24. or moze of the, wherof 8. to be Lords of parliament, not being of y^e priuy counsell, shal to y^e vttermoſt of their power and skil, examine y^e cause & maner of such her maiesties death, & what persons shal be any way guilty therof, & al circumstances concerning the same according to the true meaning of this act, & therupon shal by opē proclamation publish y^e same, & wout any delay by al forcible & possible means, prosecute to death al such as shalbe found to be offenders therein, & al their aidors & abbetors. And for y^e doing thereof, & for y^e withstanding & suppressing of al such power & force, as shal any way bee leuied or stirred in disturbance of y^e due executiō of this lawe, shal by vertue of this act haue power & authority, not only to raise & vse such forces as shall in that

Examining y^e cause, maner & circumstances of y^e Quenes death.

Prosecuting
of the offenders
force leuied
to disturbe the
execution of
this statute.

Assistance to
execute this
statute.

The meaning
of the associa-
tion.

that behalfe be needful and cōuenient, but also to vse al other meanes & things possible & necessary for the maintenance of the same forces, & prosecution of the said offenders. And if any such power & force shalbe leuied or stirred in disturbance of the due execution of this law by any person that shal or may pretend any title to the crowne of this realme, wherby this law may not in all things be fully executed according to y^e effect & true meaning of the same: Then euery such person shal by vertue of this act be therefore excluded & disabled for euer to haue or claime, or to pretend to haue or claime the crowne of this realme, or of any other her highnes dominions. Any former law or statute whatsoeuer to the contrary notwithstanding. 27. El. 1.

30 **A**l and euery the subiects of her maiesties realms & dominions shal to y^e uttermost of their powers aide & assist y^e said counsell & al other y^e Lords & other persons to be adioyned vnto them for assistance as is aforesaid in al things to be done & executed according to y^e effect & intencion of this law. And no subiect of this realme shal in any wise be impeached in body, lands or goods at any time hereafter for any thing to be done or executed according to y^e tenor of this law. Any law or statute heretofore made to y^e contrary in any wise notwithstanding. 27. El. 1.

31 **W**hereas of late many of her Maiesties good & faithfull subiects haue in y^e name of God and with y^e testimony of good consciences by one vniforme maner of writing vnder their hands & seales, and by their seueral othes voluntarily taken, ioyned themselves together in one bond and association, to withstand & reuenge to the uttermost, all such malicious accions and attemptes against her maiesties most royal person: Now for the ful explaining of all such ambiguities and questions, as otherwise might happē to grow by reason of any sinister or wrong construction or interpretation to bee made or inferred, of or vpon the words or meaning thereof: Bee it declared & enacted by the authoritie of this present parliament, that the same association & euery article and sentence therein contained, aswel concerning the disallowing, excluding or disabling of any person that may or shal pretend any title to come to the crowne of this realme, as also for the pursuing and taking reuenge of any person for any such wicked act or attempt as is mencioned in the same associatiō, shal & ought to be in al things expounded & adiudged according to the true intent & meaning of this act & not otherwise, nor against any other person or persons. 27. El. 1.

1 What prerogatiues, & preheminences the lawes & statutes do giue to the Q. S. Prerogatiue.

2 For al bands to be made to the Q. and how she shalbe answered al her debts, duties, & accōpts. S. Accomptants to the Queene.

3 That

3 That the commissioners of Sewers deciee, shall binde the Q. lands, S. Sewers. 8.

4 For the force of a fine leuied by tenant in taile, of lands whereof the reuerfion is in the Q. S. Fines. 17.

5 For the force of a recouerie of landes intailed, whereof the reuerfion or remainder is in the Q. S. Recoueries 2.

6 That though the plaintife be nonsuit, or a verdict passe against him in any action, bill, or plaint sued to the Q. vfe, the def. shal not recouer costes. S. Damages. 8.

7 That kings children borne beyonde the Sea, are inheritable in England, S. Abilitie. 1.

8 The punishment of such as vtter seditious words, rumors, books &c. against the Q. S. Newes. 3. 4. 5. &c.

¶ Quod permittat.

EUen as þ parson of any Church may recouer common of pasture by writ of Nouel disseisin, so shal his successor recouer against the disseisor or his heire by a writ of Quod permittat. And as there is a writ grantable to enquire whether a tenement be the free almes of such a Church, or the lay fee of such a man, so the like writ may be awarded to enquire whether it be the free almes of such a Church, or of another Church, in case where the free almes of one church is transferred into the possession of an other Church. *W. 2. 13. Ed. 1. 24.* *Iuris vtrum.*

¶ Rape.

If any man do rauish a married wife, a maide, or other woman where she doth not assent before nor after, it is felonie. And in like sort if a man do rauish a married wife, maide, or other woman wth force, though she do consent after, it is felonie. *W. 2. 13. Ed. 1. 34.*

2 ¶ If any person shall unlawfully, and carnally know, and abuse any woman child, vnder the age of ten yeres, it is felonie, and the offender thereof being duely convicted, shal suffer as a felon, without allowance of clergie. *18. El. 6.* *Abusing a woman child vnder 10 yeres of age.*

3 ¶ If any noble mens daughters, Ladies, or other women be rauished, & after the same rape committed, do consent to the rauishors, as wel þ rauishors as they þ be rauished, & euery of them, shal be disabled, & be disabled Ipso facto, to haue or challenge all maner of inheritance, dower, or ioynt feoffement, after þ death of their husbands & ancestors. And immediately in this case þ next of the blood of those rauishors, & of those which be rauished (to whom the inheritance, dower, or ioynt feoffement ought to disceð, reuert, remaine, or come after þ death of the

The sort where the woman rauished doth consent.

Receipt.

rauishe, or her that is rauished) haue title incontinently after þ rape, to enter vpon the rauish, or her which is rauished, their assignes, and land tenants in that inheritance, dower, or ioynt feoffement, & the same to hold by estate of inheritance. And the husbands of such women (if they haue husbands) or if they haue no husbands liuing, then their fathers or other their next kinsmen in blood, shall haue the suit to prosecute, and may pursue against the same offenders and rauishers, in this behalfe, and to conuict them of felonie, though the same woman after the Rape doe consent to the rauishers. And in this case the defendand shall not wage battell, but the trueth of the matter shall be tried by the countrey. Sauing alwayes to the Q. and other lordes of the realme, all their Escheates of such rauishers if they be conuict. 6. R. 2. 6.

1 Howe the defendand in appeale of Rape, shall be ysed, S. Coroners. 7.

Receipt.

Where þ wife
shalbe receiued
vpon the hus-
bands default.

If in an accion brought against the husband and the wife, of landes which be the right of the wife, the husband wil absent himselfe, and wil not defend his wiues right, or wil against his wiues consent, yeld the land, if the wife will come before iudgement, and be ready to answer to the demaundant, and to defend her right, she shall be thereunto admitted. 11. 2. 13. Ed. 1. 3.

Wher he in the
reuerſion ſhal
be receiued.

2 **I**f any man do purchase a writ against tenaunt in dower, tenant by curtesie of England, or any other tenant for terme of lyfe, or tenant in taylor, of lands where the reuerſion is in another, and he doe make default, or wil yeld the land, the heires, or they that haue the reuerſion shall be admitted to answer if they come before iudgement. And if by default or yelding, iudgement shall be giuen, then þ heires, or they which haue the reuerſion shall recouer after the death of such tenants by a writ of Entre, Ad communem legem. West. 2. 13. Ed. 1. 3. But if any man beeing not partie to the suit, will come before iudgement in the foresayd case, and desire that he may be admitted, he shall finde such sufficient suretie before his admission as the court shall thinke meete, to satisfie the demaundant the value of the issues of þ land so to be recouered, from the day that he is receiued to make answer, vntill the day that finall iudgement shall be giuen vpon þ demaundants petitio. And if þ demaundant do recouer þ thing in demand, þ defendat shall be greuously amerced, if he haue wherof, & yf he haue not wherof, he shall be committed to þ gaole, & there remaine during þ Q. pleasure. And if he can proue his right to be such as he affirmed it at the time of his receipt, he shall goe quite. 20. Ed. 1. Defensione Iuris.

The receipt of
one not partie
to the suit.

3 **I**f any tenant for terme of life, tenant in dower, tenant by the curtesie, or tenant in tale after possibilitie of issue extinct, be impleaded, and he in the reuerſion doth come into the court and prayeth to be receiued to defend his right, at the day that the tenaunt doth pleade to the accion, or before, he ſhalbe receiued to plead in chiefe to the accion, without taking delay by voucher, ayde prier, nonage, or other delay whatſoeuer, ſo that after ſuch receipt, hee ſhall haue no delay by Protection, Eſſoine of the D. ſeruiſe, or common eſſoine, but the ſuit ſhall be haſtened as much as it may by the law. And dayes of grace ſhalbe giuen by diſcretion of the Judges, betwixt the demaundant and him which is ſo receiued, & not the common dayes giuen in ples of lande, (except the demaundant will thereunto aſſent) to the intent the demaundant ſhall not be too much delayed which muſt pleade with two aduerſaries. And he in the reuerſion which prayeth to be receiued, ſhall finde ſureties for the iſſues of the land, aſwel where the receipt is coſterpleaded, as where it is granted, vt ſupra, &c. 13. R. 2. 16.

Receipt of him
in p reuerſion.

Dates of grace

¶ Records.

The Queenes Juſtices before whome any miſpriſion, or default ſhalbe found in any recordes, or proces, which depend before the by way of Error, Adioznement or otherwiſe, or in returnes, made by Sherifes, coroners, bayliſes of franchise, or any other by miſpriſion of the clerkes of any of the ſayd courtes, or of the Sherifes, vnderſherifes, coroners, or any other officers or clerkes, in wryting of one letter or one ſyllable too much or too little, haue power to amende ſuch default after their diſcretion, and by examination where they ſhall thinke good, as well after Iudgement, as before Iudgement, and as well after iudgement giuen vpon a verdict paſſed, as vpon a matter in lawe pleaded, and the ſame proces ſhall not be auoyded or diſcontinued therefore. But theſe ſtatutes extend not to recordes and proces in Wales or where proces of outlawry lyeth. 14. Ed. 3. 6. 9. H. 5. 5. 4. H. 6. 3. 8. H. 6. 15.

Juſtices may
amend recordes.

2 **I**f Error aſſigned in any recorde, proces, warrant of attorney, originall writte, or iudiciall panell, or returne, in anye place of them rased or interlined, or in any addition, ſubtraction, or diminution of words, letters, titles, or parcell of wryts, founde in any ſuch recordes, proces, &c. where ſuch raſure, enterlining, addition &c. by the diſcretion of the Judges of the Queenes courts & places, where in the ſaid recorde and proces by writte of Errour or otherwiſe be certified, do appeare ſuſpitiouſ, no Iudgement or record ſhalbe reuerſed. And the Queenes Juſtices of the courtes and places, in which

Recordes rased
or interlined.

any recorde, proces, suit, plea, warrant of attorney, writte, pannel, or retorne, for the time being shall be: haue power to examine them, by themselves, and their Clerkes, and to amend (in affirmance of þ iudgement of such records and proces) all that which in their discretion seemeth to be misprision of þ Clerkes, in such records, proces, &c. except appeales, Indictments of treason and felonie, and the outlawries thereupon, the proper names, surnames, and additions, admitted in originall writs and writs of Exigent, according to the statute of 1. H. 5. 5. and in other writs conteyning proclamation, so that by such misprision of the Clerke, no iudgement shalbe reuerfed nor adnulled. And if any record, proces &c. bee certified defectiue, otherwise then according to that which remaineth in the treasure, courtes, or places from whence they be certified, the parties in affirmance of the iudgements, shall haue aduantage to alledge variance betwene the writing and the certificate, and that being found and certified, the variance shall be reformed by the sayd Iustices, according to the first writing. 8. H. 6. 12.

1 That imbesiling of a record &c. is felonie, S. Felonie. 18.

2 That no Cerciorare shalbe granted to remoue a record, except it be signed with a Iustices hand of the same court, S. Remouer &c. 1.

3 What imperfections in Records the court may amend after demurrer ioyned and entred and what not. S. Demurrer. 2. 3.

¶ Recoueries, and falsifying of recoueries.

The recouersers may distraine the tenants of lande recovered.

If any of the Kings subjects do suffer any recoueries agaynst them by the course of the common lawe, of any manors, lordships, lands, or tenements, for the performance of their wils, or for the suretie of their wiues Joynters, for the ioynter of their sonnes and heyres apparant and their wiues, or for any other person or persons, according to theyr covenants and agreements, the recouersers in all such recoueries, their heyres and all assignes, may distrayne the fermers, freeholders, and tenants, which holde of the same manors, by rents, seruices, and customes, for the sayde rentes, seruices, and customes, beeing due and vnpayed, and make auowrie, or iustifie the same as those persons agaynst whome the sayde recouerie is, shoulde haue done, if the sayde recouerie had not beene had, and also haue lyke remedie for the recovering of the sayde rent, seruices and custome by auowrie. And also shall haue Quare impedit for an aduowson appendaunt to any of the sayde manors, if the same aduowson fall boyde, and any disturbance bee made, as those persons agaynst whome the sayde recoueries were had, might or shoulde haue had by the course of the common

Quare impedit.

common law before the sayd recoverie, if any such rentes, seruices, or customes had bene denied them, or any such disturbance had bene had in their times. 7. H. 8. 4.

2 ¶ No sayned recoverie had by assent of parties against any tenant in taylor, of any lands, tenements, or hereditaments, whereof the reversion or remainder at the time of such recoverie had, shalbe in the Queene, shall binde or conclude the heires in taylor, whether any common voucher be had in any such sayned recoverie or not. But after the death of every such tenant in taylor against whom any such recoverie shalbe had, the heires in taylor may enter, haue and enioy the lands, tenements, and hereditaments so recovered, according to the forme of the gift in taylor, the sayd recoverie or any other thing to be had, done, or suffered, by or agaynst any such tenant in taylor to the contrarie notwithstanding, tricesimo quarto Henrici octavi 20. S. the statute & the preamble, and Quere whether it is intended of all landes whereof the reversion or remainder is by any title in the Queene, or only of those landes which king Henry the eight, or any of his progenitors did giue to any person in taylor.

Recoverie of
lands entailed
whereof the re-
version is in
the Queene.

3 ¶ The heires of every such tenant in taylor, against whom any such sayned recoverie shalbe had, shal take no advantage for any redempce in value agaynst the voucher, nor his heires. 34. H. 8. 20.

The heire in
taile shal haue
no redempce
in value.
Leases by tes-
nant in taile,
of lands, where-
of the reversion
is in the Q.

4 ¶ But this act shall not be prejudiciall to the lessee of any such tenant in taylor made by writing indented, of any landes, tenementes, or hereditaments, for terme of xxi. yerres, thre liues, or vnder, whereupon the accustomable rent or more, is or shall be reserved perely during the sayd terme, but the same lessee shall and may enioy his terme therein agaynst the heires of every such tenant in taylor, according to the tenure and effect of the statute made. 32. H. 8. 34. H. 8. 20. S. Leases 1. 2.

5 ¶ All recoveries had or prosecuted by agreement of the parties or by couin, against any tenant by curtesie of England, tenants in taile after possibilitie of issue extinct, or otherwise onely for terme of life or liues, or of estates determinable vpon life or liues, of any lands, tenements, or hereditaments, whereof the same particular tenant is, or shalbe seised of any such particular estate as is aforesayd, or against any other, with voucher ouer of any such particular tenant or of any hauing, or that had right or title to any such particular estate or tenancie, shall as against such person or persons to whom any reversion or remainder thereof by force of any conueyance or deuise before y time had or made, shal, ought, or lawfully may appertaine, and against their heires and successors be utterly voyde. 14. El. 8.

Recoveries as
gainst parti-
cular tenants.

Recoveries
upon good ti-
tles.

Recovery by
the assent of
him in the re-
version or re-
mainder.

Tenant for
peres may
falsifie a reco-
very had a-
gainst him in
the reversion.

No statute of
recognisance
shall be auoyd-
ed by any fei-
ned recovery.

6 ¶ But this act shall not extend to any person or persons þ shall by good title recover any landes, tenements, or hereditaments, without fraude or couine, by reason of any former right or title, but all such recoveries shall stande and bee in like force as they were before the making of this act. 14. El. 8.

7 ¶ All and every such recoverie had of any lands, tenements, or hereditaments, by the assent and agreement of any person or persons, to whom any reversion or remainder thereof, then shall or ought to appertain so (that the same assent do appeare of Record in any of the Q. courts) &c. shall stand in like strength, and of like effect, agaynst such person that shall so assent, his heires and successors, as they were before the making of this act. 14. El. 8.

8 ¶ If any persons do make leases of their landes, tenements, or other hereditaments, by indentures or without writings, to other persons for terme of peres, if after þ same lessors, their heires or assignes, do cause or suffer recoveries to be had agaynst them in the Q. or any other Lords court, vpon fayned and vnttrue title, by craft and couin, to put the sayd termors from their termes: All such termors shall & may falsifie for his terme onely such recoverie, in such wise and forme, as a tenant of a free holde shall and may doe by the course of the common law, where such tenant of freehold was neither priue, nor partie to þ same recoverie. And the same termors, their executors and assignes, notwithstanding such recoverie, shall enioy their sayd termes, according to their sayd leases, against all such recoverors, their heires and assignes. And the sayd recoverers, their heires and assignes, after such recoverie so had, shall haue like remedie agaynst the said termors, their executors and assignes by auowrie, or action of debt, for the rents and seruices reserued vpon the same leases being due after the same recoveries: And also lyke actions against them for wast done after þ same recoveries so had, in like maner and forme, as the sayd lessours might haue had, if the same recoveries had neuer bene had. 21. H. 8. 15. Gloucester 6. C. 1. 11.

9 ¶ No Statute of the Staple, statute Marchant, nor execution by Elegit, shall be auoyded by meanes of any such fayned recoverie, but all persons hauing any lands, tenements, or other hereditaments in execution, or being intituled to haue execution of any landes or tenements by any such meanes, shall haue lyke remedie to auoyde and falsifie the same recovery, as before is provided for the lessee for terme of peres. 21. H. 8. 15.

1 What fines for alienation vpon writs of entrie, sued vpon common recoveries shall be payed. S. Willes, 8.

2 ¶ Where a woman shall forfeit her estate for suffering a fayned recovery agaynst her, of lande which she holdeth in dower for life, in taylor &c. S. Women. 1. 2. 3. 4.

3 For recoveries and deedes inrolled in corporate Townes. See Women 6.

4 That such things whereupon recoveries are to be suffered may be inrolled. S. Fines, 19. &c. 29. &c.

5 For suffering of recoveries of lands in Wales and the Q. fine for the same. S. Wales, 21. 22.

¶ Redisseisin.

If any man be disseised of his freeholde, and doeth recover his seisin before the Justices in Eyre, by Assise of novel disseisin, or by confession of him which did the disseisin, and hath seisin delivered unto him by the Sherife, if the same disseisors, after the departure of the Justices, or in the meane time, do disseise the same plaintife of y^e same freehold, and thereof be convicted, they shalbe taken and kept in the D. prison. The same remedie shall they have which do recover their seisin by Assise of Mortdauncester. And the same remedie is of al lands and tenements recovered in the D. Court by Juries, if they be after disseised by the first deforcors agaynst whom in any maner they have recovered by Juries. Merton. 20. H. 3. 3. And they shall have remedie by writ of redisseisin which have recovered by default, reddition, or in any other maner, without recognition of Assises, or Juries. III. 2. 13. Ed. 1. 26. Tenant by Elegit shal have a writ of Redisseisin. III. 2. 13. Ed. 1. 18. and so shal tenant by statute Marchant. 13. E. 1. De Mercatoribus.

Who shall maintaine a writ of redisseisin.

2 ¶ When the plaintife cometh into the Court, he shal have y^e D. writ directed to the sherife, wherein shall be contained his declaration of disseisin done vpon disseisin. And y^e sherife shalbe commanded y^e he (taking with him y^e Coroners, & other lawful knights) shal go in his owne person to y^e tenement or pasture wherof y^e plaint is made, & that he shal make before them diligent inquirie by y^e first Jurozs and other neighbors and lawfull men of that vicinage therof, and if they finde him disseised againe, then they shal do according as is aforesayd. And if it be otherwise found, the plaintife shalbe amerced, & the other shal go quite, but the Sherife shal not execute any such plaint without the D. commandement. Merton. 20. H. 3. 3.

The cause and effect of the writ of redisseisin.

3 ¶ In writs of Redisseisin double damages shalbe awarded, and they which be taken for redisseisin be not replevisable by a common

The punishment for redisseisin.

Reliefe. Rentes.

writ, nor shall be deliuered without the Q. speciall commaundement, and that vpon a fine to bee made to the Q. for the offence, and if the Sherife doe deliuer them in any other sort, hee shall be greuously amerced, and they for their offence greatly punished. Marl. 52. H. 3. 8. W. 2. 13. Ed. 1. 26.

1 That writs of Redisseisin shalbe inrolled and sent yeerely vnto the Eschequer. S. Admeasurement. 2.

¶ Reliefe.

The reliefe of
an Earle, Bar-
on & Knights
heire.

If any Earle, Baron, or other of the Queenes tenaunts, which holdeth of her grace in Capite by Knights seruice doe die, & his heire of full age, and oweth vnto the Queene reliefe, hee shall haue his inheritance for the auncient releefe, That is to say, the heire or heires of an Earle for a whole Earledome C.li. The heire or heires of a Baron, for a whole Baronie, C.markes, The heire or heires of a Knight, of a whole knights fee, C.s. at the most, and he that hath lesse shal giue lesse, according to the auncient custome of fees. Mag. Chart. 9. H. 3. 2.

1 That an heire which hath bene in warde, shall haue his inheritance without paying reliefe. S. Wardes. 3.

2 That the heire of full age at the death of his auncester, shal on-ly pay reliefe to his Lord. S. Wardes. 9.

¶ Rentes.

A remedy for
the executors
for rents due
to their testa-
tors.

The executors and administratours of euery tenaunt in fee simple, tenaunt in fee taile, and tenaunt for terme of life, of rent seruice, rent charge, and fee fermes, vnto whome any such rent or fee ferme is or shall bee due, and not payed at the time of his death, shall and may haue an A. of debt for all such arrerages agaynst the tenant or tenautes that ought to haue payed the same rent &c. in the lyfe of their testatour, or agaynst the executors and administrators of the sayde tenautes. And also furthermore it shall be lawfull to euery such executor and administrator &c. to distrayne for the arrerages of all such rents, and fee fermes, vpon the landes &c. which were charged with the payment of such rentes, and fee fermes, and chargeable to the distresse of the sayd testator, so long as the sayde landes &c. continue in the seisin or possession of the said tenaunt in demesne who ought immediately to haue payed the said rent, or fee ferme, or in y^e seisin or possession of any other clayming the sayd landes &c. onely by and from the same tenant by purchase, gift, or descent, in lyke maner and fourme as their sayde testator mought or ought to haue done in his lyfe

lyfe time, and the sayd executors and administrators shal for the same distresse lawfully make auowry vpon their matter aforesayde. But this act shal not extend to any such mannor, lordshipp, or dominion in Wales, or in the marches of the same, whereof the inhabitantes haue vled time out of minde of a man to pay vnto euery Lorde, and owner thereof at his first entrie into the same, any summe of money for the redemption, and discharge of all dueties, forfaytures, and penalties, wherewith y^e said inhabitantes were chargeable to any of their sayd Lordes auncellors or predecessors, before their said entrie, Anno 32. H. 8. 37.

Redemption
money in
Wales.

2 ¶ If any man hauing in the right of his wife any estate in fee simple, fee taile, or for terme of life, or in any rents, or fee fermes, and y^e same be due & vnpaid in the said wiues life, the y^e said husband after the death of his said wife, his executors and administrators, shall haue an A. of debt for the said arrerages, against the tenant of the said demesne that ought to haue paid the same, his executors, or administrators. And also the said husband after the death of his said wife, may distraine for the said arrerages, in like maner as he might haue done, if his sayd wife had bene then liuing, & make auowry vpon his matter, as is aforesaid. 32. H. 8. 37.

The husbands
remedy for rē
due in the lyfe
of his wife.

3 ¶ If any person which shall haue any rentes, or fee fermes for terme of life or lyues, of any other person or persons, and the sayde rent or fee ferme shalbe due and vnpayde in the life of such person, or persons, for whose life or liues the estate of the same did depende or contynue, and after the said person or persons doe die, then he vnto whome the sayde rent or fee ferme was due, his executors and administrators, shall and may haue an action of debt against the tenant in demesne that ought to haue paid the same whē it was first due, his executors & administrators. And also distraine for the same arrerages vpon such lands and tenements out of the which the said rents or fee fermes were issuing, in such like manner, as he ought or might haue done, if such person or persons (by whose death the aforesaide estate in the said rents and fee fermes was determined) had bene in full life and not dead, and the auowry for the takings of the same distresse shal be made in maner and fourme aforesayd. 32. H. 8. 37.

The remedy
for a rent the
estate whereof
dependeth vpon
another's
life being dead.

1 That, Assise of rent issuing foorth of tenementes in seuerall Counties, shall be holden in the borders of the same Countie. S. Assise 7.

22 Howe meane Lordes shall be answered their chiefe rentes due to them during the minoritie of the Queenes warde. See Wardes, 7.

Remouing of perions, or Recordes.

*It writte to res-
moue priso-
ners or Res-
cordes.*

NO writtes of Habeas corpus, or Cerciari, shalbe graunted to remoue any prisoner out of any gaole, or to remoue any recognisance, except the same writtes be signed with the proper handes of the chiefe Justice, or in his absence of one of the Justices of y^e Court, out of the which the same writs shalbe awarded, vpon paine that hee that writeth any such writs, not being signed as is aforesaid, to forf. to the Q. for every such writ, v. li. 1. & 2. R. & D. 13.

*Remaunding
of prisoners
out of the
kings bench
into the coun-
treys to be
tried.*

2 The Justices of the kings bench (for y^e time being) haue authoritie by their discretions, to demande & send downe aswel y^e bodie of all felons and murderers remoued or brought before the Q. in her bench, as their indictments, into the countie whereas the same murders or felonies haue bene committed, and to commande all Justices of gaole deliuerie, Justices of peace, and all other Justices and commissioners, and euery of them, to proceede and determine vpon all the foresaid bodie and indictments so remoued, after the course of y^e common law, in such maner, as the same Justices of Gaole deliuerie, Justices of peace, and other commissioners or any of them mought or should haue done, if the said prisoners or indictments had neuer bene brought into the said Kings Bench. An. 6. H. 8. 6.

1 Where the bodie of one in execution being remoued by Corpus cum causa, shalbe remaunded, S. Corpus &c. 1.

2 For the remouing of a Repleg. out of the Countie by Recordare, S. Repleuine 2.

Repleuine.

*Who shall re-
pleu a distress*

If any mans cattel be taken, and wrongfully withholden, the shirife after complaint to him made, may deliuer them without any let or contradiction of him that tooke the cattel, if they were taken out of liberties, and if the cattel were taken within any liberties, and the baylives of the liberties wil not deliuer them, then the shirife for default of those baylives shal cause them to be deliuered. Marleb. 52. H. 3. 21.

Recordare.

2 If any Lords do distraine their tenants for any seruices or customes being due vnto them, and y^e tenants do repleuie the distresse by writ, or without writ, and the Lordes (at the complaint of the tenants) do by attachment come to the countie, or other Court hauing power to holde plea De vetito namio, and do auowe their distresse reasonable and iust, if the tenants do disauowe to holde, or do claime to holde nothing of him which tooke the distresse, if such Lords in the Countie or other Courts cannot obtaine Justice of their tenants but shalbe amerced, and their tenants discharged, for that they cannot be punished for the same disauowing by record of that countie, or other courts,

294
courtes, hauing no record: as soone as they shalbe attached at their tenants suit, a writ shalbe graunted vnto them to remoue þ suit before the Iustices before whom (& not els where) Justice shalbe ministred to such Lords, and the cause shalbe declared in the writ (because such a man hath distrained in his fee for seruice & customes due vnto him) yet this statute is no derogation to the law commonly vsed, which doth not suffer any plea to be remoued at the suit of the defendand. For though at the first shew þ tenant seemeth to be plaintife, and the lord defendand, yet hauing respect to that the lord doth distraine and sue for his seruices and customes behinde, he shall rather appeare plaintife then defendand. West. 2. 13. Ed. 1. 2.

3 ¶ Least that after the tennaunt hath repleued his beastes, hee should sell them, or digne them farre off, whereby the Lord which distraineth cannot haue returne if it be adiudged for him, the sherife or his bailifes shall not take of the plaintifes, pledges onely to prosecute their suit before they made deliuerance of their beastes, but also to returne them, if returne be awarded. And if any doe take pledges in other sort, he shall aunswere the price of his cattell, and the lord which distraineth shall haue his recouery by writ, that he shall deliuer him so many beastes or cattel, and if the bailife haue not wherewith to satisfie, his lord shall pay it. West. 2. 13. Ed. 1. 2.

Pledges to prosecute the suit, and to make returne.

4 ¶ If the Lords of courts, or other court holders or Stewards willing to trouble those which bee in subiection vnto them, hauing no lawfull cause or meanes to greue them, will procure others to commence suites against them, and to giue gages, offer pledges, or purchase writs, & at the suites of such plaintifes wil cause them to resort vnto the countie, hundred, wapentake, & other courts untill they haue paid them a fine, according to their owne request, which is not lawfull to be done: Therefore in this case if any man be attached by any such false complaints, he shall repleuy his distress so taken, & remoue the suit before the Iustices, before whom if the sherife, or any other bailife or lord (after the party so distrained hath framed his complaint) will auowe the distresse iust by reason of any such complaints beefore them made. And if it be replied, that the same complaints were maliciously moued against them at the instance or procurement of the sherife or other bailife or lordes, the replication shalbe admitted, and if they be thereupon conuicted, they shall pay a greuous amerciament to the Queene, and answere to the partie greued treble damages. West. 2. 13. Ed. 1. 37. S. Auowrie.

A distress take by on a suit commenced by þ procurement of others

1 How many deputies euery Sherife shall ordayne to make Repleuies, & where, S. Sherifs, 22.

2 Where

2 Where the Sherife shall direct his precept to the bailife of a libertie, and where he himfelfe shall repleuie a distres, S, Sherifes, 30.

3 In what case an Accomptant is not repleuifhable. S, Accompt 2.

¶ Restitution.

Restitution of
stollē goods, af-
ter the attain-
der of the felon

IF any Felon or Felons doe robbe or take away any money, goods or cattels, from any of the Queenes subiectes, from their person, or otherwise within this Realme, and thereof be indicted, and after arraigned of the same felony, and found guilty thereof, or otherwise attainted by reason of euidence giuen by the partie so robbed, or owner of y^e said mony, goods, or cattels, or by any other by their procurement, then the party so robbed or owner shalbe restored to his said money, goods, and cattels. And aswell the Iustices of gaole deliuerie, as other Iustices before whom any such Felon shalbe founde guiltie, or otherwise attainted by any of the meanes aforesayd, haue power to award from time to time, writs of restitution for the sayd mony, goods, and cattels, in like maner, as though any such Felon were attainted at the suit of the partie in appel, 21. H. 8. 11.

¶ Returne of Sherifes.

The maner
how writs
shall be deliue-
red to be exe-
cuted.

They which doe feare the indirect dealing of Sherifes, may deliuer their originall & iudicial writs in the open countie, or in some other place of the shire, where collection of the Queenes money is made, & may take a byll of the sherife or vnder sherife, being present, in which shalbe contayned the names of the demaundants & tenants named in the writ, and vpon his request which deliuereth the writ, the sherife or vnder sherifes seale shall be put to the bill for a witnes (with out any thing taking therfore 2. Ed. 3. 5.) And mencion shalbe made of the day of the deliuerance of the writ. And if the sherife or vnder sherife will not put his seale to the same byll, witnes shall be taken of knightes and other credible persons which be present, the which shall put their seales to the same byll, and if the sherife will not returne writs deliuered vnto him, and thereupon complaint be made to the Iustices, a Iudicial writ shall be directed to the Iustices of assise, that they shall enquire by those that were present when the writ was deliuered vnto the sherife, if they know of the deliuerance, which inquisition shall be returned. And if it be found thereby, that the writ was deliuered vnto him, damages shall bee awarded to the plaintife or demaundant, hauing respect to the quantity and quality of the action, and to the peril which might haue chaunced vnto him by y^e delay which

which he suffered. (And also the Iustices of assise haue power to inquire therof at euery mans complaint, and to award damages vt supra &c. 2. Ed. 3. 5.) And by this meane remedie shall be had when the sherife doth returne that the writ came to late, whereby he could not execute þ^e Queenes commandement, West. 2. 13. Ed. 1. 39. S. Sherifes. 10. That euery sherife shall make a deputie in the Chauncerie, kings Bench, Common place, and Eschequer, to receiue all writs and warrants to be deliuered vnto them.

Deputies to
receiue writs.

2 ¶ If the Sherife doe returne, that he hath commaunded the Bailifes of some libertie, which did nothing therein (where in deede there is no such libertie within that countie, which euer had returne of writs,) then the sherife shall bee punished as a disinheritor of the Queene and her crowne. West. 2. 13. Ed. 1. 39.

Returning of
a libertie
where none is

3 ¶ If the sherife doth returne, that hee hath directed his precept to the bailifes of some libertie (which in deede haue returne of writs) which did nothing therein, then the sherife shall be commaunded, that he shal not omit for any libertie aforesaid, but shal execute þ^e Queenes commaundement, and that he shall warne the bailifes to whom he returned the writ, that they shall appeare at a day contained in the writ, to aunswere why they did not execute the Queenes precept. And if they doe appeare at the day, and doe acquite them selues, that the writ was not returned vnto them, the sherife shall be forthwith condemned to the Lorde of the same libertie, and likewise to the partie greeued by the delay, to restore him damages. But if the bailifes do not appeare, or do appeare, and do not acquite them selues in forme aforesaid, in euery iudiciall writ so long as that suit dependeth, the sherife shalbe commaunded, that hee spare for no libertie &c. Westm. 2. 13. Ed. 1. 39.

Precept directed to the bailifes of a libertie.

Non omittas
propter aliquam
libertatem.

4 ¶ If the Sherife doe returne no issues, or small issues, where he may returne greater, if the plaintife will desire to heare the sherifes returne, he shall, and if he will offer to proue that the Sheriffe mought haue returned greater issues to the Queene, he shall haue a iudicial writ to the Iustices of Assise, that they shall enquire in the presence of the Sherife (if he will be present) of what, and how great issues the sherife might haue made his returne, from the day of the writ purchased, vnto the day contayned in the writ (videlicet of the returne thereof) and when the inquisition is returned, if hee hath not fully aunswered befoze, he shall be charged with the ouerplus, by the estrets of the Iustices deliuered into the Eschequer, and neuertheless shall be greuously amerced. And the sherife ought to know that rent, Cozne in grange, and all mouables, besides horse, apparell, and house-
holde

Returning of
issues.

What be il-
lues.

Resistance in
executing the
Queenes
writs.

holde stiffe, are contayned vnder the name of illues. Westminster, 2.
13. Ed. 1. 39.

5 ¶ The Sherife ought not to retorne that he coulde not execute the Queenes precept, by resistance of the power of any Noble man, for that retorne tendeth to the dishonour of the Queene and her Crowne, for as soone as his vnder Baylifes doe testifie that they found such resistance, the sherife forthwith (all busines set apart, taking with him the power of his countie) shall go in his owne person to do execution, and if he finde his vnderbailifes false, he shal imprison them (that other men may be warned by their punishment.) And if he finde them true, he shal imprison the resistors, from which prison they shall not be deliuered, without the Queenes speciall commandement. And if the sherife at his comming do find such resistance, he shall certifie the court of the names of the resistors, their aydoers, consentors, commaunders, and fauourers, which shall be attached by a iudiciall writ, to appeare at the Queenes Court, and if they be convicted of such resistance, they shalbe punished at the Queenes pleasure. But no officer of the Queenes shall meddle in assigning of the foresaide punishment, for the Queene onely shall do it, for such resisters are disturbers of her peace and realme. West. 2. 13. Ed. 1. 39.

Indenture
betwixt the
sherife and
baillife of frai-
chise of euery
retorne.

6 ¶ There shalbe an Indenture made betwixt the baillife of the fraunchise, which hath full retorne of writs by his proper name, and the sherife his proper name, of euery retorne which the baillife of any such fraunchise shal make to the sherife. And if the sherife do change the retorne so deliuered vnto him by Indenture, and thereof be attain- ted at the suit of the lord of the same fraunchise, from whence he hath receiued the said retorne (if the lord haue receiued any damage, or if his fraunchises be impaired) and at the suit of the party which hath re- ceiued losse by this meanes, he shalbe punished by the Queene for his false retorne, and also shal peld to the Lord, & the partie double dam- mages. Stat. Eborum. 12. Ed. 1.

Sherifes and
baillifes shall
put their
names to re-
turnes.

7 ¶ Sherifes and other Baylifes which receyue the Queenes writs, returnable into her court, shall put their owne names to the re- turnes, so that the court may know of whom they take such returnes, if neede be, and if any sherife or other Baylife doe leaue out his name in his retorne, he shalbe greuously amerced to the Queenes vse. Stat. Eborum. 12. Ed. 1. 5.

Amerment as
gainst the re-
turnes of bai-
lifes.

8 ¶ A man shall haue auerrement against the false returnes of baillifes of fraunchises which haue ful retorne of writs, and recouer as well against them, as against the sherife aswell of small illues retur- ned, as in other cases, so that it be not prejudiciall to the Lordes, nor
to

to the impairing of their franchises, for the punishment shall fall only upon the bailiffs by the punishment of their bodies, if they have not whereof to answer. 1. E. 3. 6.

9 ¶ If any sherife, or other having auctoritie to returne writs doth make an untrue returne upon any Capias, in a writ of Excommunicato capiendo to him directed, that the partie named in the writ hath not yelded his body upon any Proclamation made, where in deede he hath yelded himselfe according to the effect thereof, hee shall forf. to the partie grieved xl. li. to be rec. by action, bill, plaint, where in no W. E. P. & c. 5. Cl. 23.

Excommunicato capiendo.

Writs of proclamation in Wales, Lancaster, Chester.

10 ¶ If the sherife of any shire in Wales, in the county palatine of Lancaster or Chester, or of the city of Chester, doth returne a writ of Proclamation after a writ of Exigent awarded against any person, and doth not make returne thereof into þ Court out of the which þ sayd writ of proclamation shall be awarded, he shall forf. v. li. to the D. & J. to be recovered by A. of debt, wherein no W. & c. E. P. & c. 1. Ed. 6. 10. 5. Ed. 6. 20. S. Exigent 8.

11 ¶ Upon any bill, information, or action exhibited or sued against any person being sufficient, upon the statute provided 8. Ed. 4. for giving of liveries or badges, or unlawfull retaining, if the Sherife or Coroner do returne any lesse issues upon the defendant then xx. s. at the first day of the distress, at the second day xxx. s. at the thirde day xl. s. & so at every day after x. more, he shall forf. for every returne made against the forme aforesaid xx. s. 8. Ed. 4. 2. S. Sherifes.

Returne upon information, for giving of liveries.

12 ¶ The chiefe officer or officers of every of þ Queenes courts of revenue, being of Record, or that shall be of record, shall have auctoritie to set and assesse reasonable fines & amerciaments upon any sherife or sherifes for not returning or misreturning of any writ to them directed & delivered out of any of the same Courts, concerning þ leuying or answering of any of the said issues, rents, or revenues, or of any debt due to the D. in such sort & after such maner & forme, as now is, or heretofore hath bene lawfully used in the like, and such other cases in the Queenes Court of the Eschequer. 7. Ed. 6. 1.

Amerciament of sherifes for insufficient returns.

1 What Jurors, and of what sufficiencie, the sherife in severall cases shall returne, & upon what paines. S. Jurors 12. 13. 14. 16. 19. 20.

¶ Riots, Routs, unlawfull assemblies.

¶ If any Riot, Assemblie, or Rout of people, against the lawe bee made in any part of the Realme, the Justices of peace, iii. or ii. of them at the least, and þ sherife, or undersherife of the shire where such

The Justices & sherifes shall arrest those which commit riots.

riot

Riots, Routes, vnlawfull assemblies.

riot, assemble, or rout shalbe made, shall come with the power of the countie (if neede be) to arrest them, & shall arrest them. And the same Iustices, Sherifes, or Undersherifes, haue power to recorde þ which they shal finde done in their presence against the law, and the same offenders shalbe conuict by the recorde of the same Iustices, sherife, or vndersherife, in manner and forme as is contayned in the statute of Forcible entries. 17.R. 2.8.13. 13.H.4.7.S. Forcible entrie 2.

Enquire of
Apot.

2 ¶ If it happen that such offenders be departed before the coming of the said Iustices and sherife, or vndersherife, þ same Iustices iii. or ii. of them, shal diligently enquire win a moneth after such Riot, assemble, or rout of people so made, and the same shall heare & determine according to the law of this Realme. 13.H.4.7.

Certifying of
the rpot to the
Queene & her
Counsell.

3 ¶ If the trueth cannot be found in maner aforesayde, then win a moneth next after, the same Iustices iii. or two of them, and the saide sherife or vndersherife, shall certifie the Queene and her Counsell of the whole fact, & the circumstances thereof, which certificat shalbe of þ same force that a presentment by xii. men is, vpon which certificat the said offender shalbe put to answer, & they which shalbe found guilty, shalbe punished by the discretion of þ Queene and her Counsel. And if the same offenders do trauerse the matter so certified, the same certificat & trauerse shalbe sent into the kings bench, there to bee tried and determined according to the order of the law. 13.H.4.7.

Trauerse of
the certificat.

Proces vs
gainst the of-
fenders.

4 ¶ If the same trespassors and offenders do not come before the Queene and her Counsell, or into the kings Bench at þ first precept, the an other precept shalbe directed to the sherife of the shire to take them if they may be found, and to bring them at a certaine day before the Queene and her Counsel, or into þ kings bench. And if they cannot be found, the sherife or vndersherife shall make proclamation in his full Countie next ensuing the deliuerie of þ sayd second Precept, that they shal appeare before the Queene & her counsell, or in the kings bench (or in the Chauncerie in the time of vacation) within thre weekes then next following. And if the offenders do not appeare, and the Proclamation be made and returned, they shalbe attainted and conuicted of the Riot, assemble, and rout aforesayd. 13.H.4.7.

The for of the
Iustices
which do not
execute this
statute.

5 ¶ The Iustices of peace which dwell nearest in euery Countie where such riot of people shalbe, together with þ sherife, or vndersherife of the same countie. And also the Iustices of assise, for the time that they shalbe in their Sessions (in case any such Riot, assemble or rout be made in their presence) shal do execution of this statute, euerie one vpon paine of C.li. to be paid to the Q. as often as they shal be found in default of execution of the same statute. 13.H.4.7.

6 ¶ If default be found in the said two Justices of peace, or Justices of assise, & the Sherife or vnder-shirife of the county where such riot, assemble, or rout shalbe made, touching the execution that they ought to make by vertue of the sayd statute: Then at y^e instance of y^e partie griued, the Queenes commission shal go out vnder the great seale, to enquire aswel of y^e truth of the case, and of the originall matter, for y^e party complainant, as of the default or defaults of the saide Justices, shirife or vnder-shirife in this behalfe supposed, to be directed to sufficient and indifferent persons, at the nomination & by the aduice of the Chaunceloz of Englande. And the saide Commissioners incontinent shal send into the Chauncery the enquestes and matters befoze them in this behalfe taken & found. 2. H. 5. 8.

Commissioners to enquire of the Justices and Sherifes default,

7 ¶ The Coroners of the same Countie in which such Riot, Assemble, or rout shall bee made, shall make the panell vpon the sayde Commission, returnable, for the time that the Sherife so supposed in default shall remaine in his office, which Coroners shall returne no persons, but onely such which haue lands, tenements, or rents, to the value of x. li. by the yere at the least. And also the same Coroners shall returne vpon euery of the sayde persons enpannelled at the first day when issues be to be lost xx. s. at the least, at the seconde day xl. s. at the least, and at the thirde day C. s. at the least, and at euery day after the double at the least, which issues so returned because of non apparance of such persons impanelled, shalbe for. to the Queene. And if default be found in the said Coroners touching the returne of such persons to be impanelled, or touching the returne of such issues, as afoze is said, euery of them shal pay to the Q. xl. li. 2. H. 5. 8.

Upon y^e commission, the coroner shall returne y^e Jury.

8 ¶ And if the said Shirife so reputed in default, be discharged of his office at the time that such commission shal go out of the Chauncerie, then the new Sherife of the same County, his successor, mediate or immediat, & not the coroners, shal make the panell vpon this commission, returnable in maner & forme, as the saide Coroners shoulde doe in time when the Sherife so reputed in default stode in his office. And the same new Sherife shall incurre like paine of xl. li. to the Queene if any default in him be found, touching the returne of other persons by him enpanelled, which haue not lands, or rents, to the value of x. li. by yere, or of returning such issues as the sayd Coroners bee aboue charged to returne, as the said Coroners be to lose to the Queene. 2. H. 5. 8.

Where the Sherife & not the Coroners shall returne a Jury.

9 ¶ The Chauncellour of Englande, as soone as hee may haue knowledge of such Riot, assemble, or rout, shall cause to bee sent the Queenes writ to the Justices of peace, & to the shirife, or vnder-shirife

A writ directed to enquire of riots,

of the countie where they be so made, that they shall put the foresayde Statut of 13. H. 4. in execution, vpon the paine contained in the same. And though that such writ come not to the said Iustices, Sherife, or vndersherife, they shall not bee excused of the paine aforesaide, if they make not execution of the said statute. 2. H. 5. 8.

Riots shalbe
repressed & en-
quired of at the
Queens costs.

10 ¶ The Iustices & other officers aforesaid, shal do their offices aforesaid, at the Queenes costs, in going, tarying, & returning, in doing their said offices, by payment therof to be made by the Sherife of the same countie for the time being, by Indentures betwixt him and the same Iustices, & other officers aforesaid, to be made of the payment aforesaid, whereof the said Sherife vpon his accompt in the Eschequer, shall haue due allowance. 2. H. 5. 8.

The punish-
ment of riots.

11 ¶ Such riotors attainted of great & haynous riots, shall haue one whole yeres imprisonment at the least, without being let out of prison by baile, mainprise, or in any other maner during the yere aforesaid, and the riotors attainted of petit riots, shal haue imprisonment as the Queene and her Counsel shall thinke good. 2. H. 5. 8.

Ech man shall
help to repress
riots.

12 ¶ The Queenes liege people being able to trauell in the countie where such riots, assemblies, or routs be, shalbe assistant to the Iustices, commissioners, Sherife, or vndersherife of the same County, when they shalbee reasonably warned, to ride with the said Iustices, Sherife &c. in ayde to resist such riots, routes, and assemblies, vpon paine of imprisonment, and to make fine and ransome to the Queen. 2. H. 5. 8.

Bailifes of
franchises.

13 ¶ The Bailifes of franchises shall impanell sufficient people as befoze, vpon paine to lose to the Queene xl. li. in case that such sufficient persons may bee found within the sayde franchises. And like ordinances and paines shall holde place & take effect in Cities, Boroughs, and other places & townes enfranchised, which haue Iustices of peace within them. 2. H. 5. 8.

Riots in cities
& townes cor-
porate.

A Jury to en-
quire of riots.

14 ¶ If any riot, rout, or vnlawful assemblie be committed within this realme, the Sherife hauing a Precept directed to him, shall returne xxiij. persons dwelling within the shire, where such Riot &c. shalbe so committed, whereof euery of them shall haue landes and tenements within the same shire, to the yeerely value of xx. s. of charter land, or freehold, or xvi. s. viij. d. of covehold, or of both, aboue al charges, for to enquire of the said riot &c. And he shall returne vpon euery person so by him impanelled in issues at the first day xx. s. at the second xl. s. (if that they appeare not and bee sworn to enquire of the premises at the first day.) And if default bee found in the Sherife or vndersherife for returning of other persons not being of the said sufficiēcy,

or for not returning issues in forme aforesaid, then the said Sherife shal
forf. to the Queene for either. xx. li. 19. H. 7. 13.

15 ¶ If the said ryot, rout, or unlawfull assemblee bee not founde
by the said Jury, by reason of any maintenance or imbracery of y^e sayd
Juroys, then the same Justices, and the Sherife, or vndersherife, (be-
sides such certificate that they bee bounde to make according to the
foresaid statute of 13. H. 4.) shal in y^e same certificat certify the names
of the mainteinoys and embraceors in that behalfe (if any bee) with
their misdemeanoys that they know, vpon paine of euery of the sayde
Justices and vndersherifes, to forf. xx. li. if they haue no reasonable ex-
cuse, for not certifying of the same, which certificat so made shal be of
like force and effect in the law, as if the matter contained in the same
were duly found by the verdict of xii. men, and euery person duly pro-
ued to be a mainteinoys or imbraceor of the same, shal forf. to y^e Queene
xx. li. and shalbe committed to warde, there to remayne by the discreti-
on of the Justices. 19. H. 7. 13.

Maintenance
wherby a riot
is not found
by the Jury.

The punish-
ment of the
mainteinoys
& embraceors.

16 ¶ If any persons to the number of xii. or aboue, being assem-
bled together, shal intend, go about, practyse, or put in vze with force
of armes, unlawfully, and of their owne authoritie, to chaunge any
lawes made or established for religion by authoritie of Parliament
which stand in force, or any other lawes or estatutes of this Realme,
the same number being commaunded or required by the Sherife of
the shire, or by any Justice of peace of the same shire, or by the Maior,
Sherife, Justices of peace, or Baylifes of any Citie, Borough, or
Towne corporate, where any such assemblies shalbe unlawfully had
or made, by proclamation in the Queenes name, to retire and repaire
to their owne houses & habitations, or places from whence they came:
And they or any of them which notwithstanding such proclamation,
shal continue together by the space of one whole howre after such co-
maundement or request made by Proclamation, or after that shal
willingly in forcible and riotous maner attempt to do, or put in vze
any the thinges aboue specified, then aswel euery such abode or conti-
nuing together, as euery such act or offence, that after such commaun-
dement or request by Proclamation shalbe attempted to bee done, by
any persons being of the number aforesaid, shalbe iudged felony in all
and singuler those persons that so shal continue together, or shal at-
tempt or commit any such act. And the offenders therein shalbe adiud-
ged felons, and shal suffer only execution of death, as in case of felony.
1. H. 12. 1. C. 17.

Xii. or aboue
assembled to
chaunge any
lawes.

17 ¶ If any persons to the sayde number of xii. or aboue, shal in-
tend, goe about, practyse, or put in vze, in maner & forme aforesaid, to

Practising to
destroy parks,
pounds, con-
duits,

Q. ii.

ouerthrowe,

Common of
way.

Destroying of
Deere, conies,
dove houses,
fish.

Pulling down
houses, burn-
ing stacks of
corne, abating
of rents.

ouerthrowe, cut, breake, cast downe, or dig by the pales, hedges, ditches, or other inclosure of any parke or other grounde inclosed, or the bankes of any fish ponde, or poole, or any Condit for water, Condit heads, or Condit pipes hauing course of water, to the intent that any of the same from thenceforth shoulde remaine open, not inclosed, or void, or unlawfully to haue common or way in the sayde Parke or other ground inclosed, or in any of them, or to destroy the Deere in any Parke, or any warren of Counties, or any Dove houses, or any fish in any fish ponde, or poole, or to pull or cut downe any houses, barnes, milles, or baies, or to burne any stacks of corne, or to abate or diminish the rents, or perely value of any landes or tenements, or the price of any victuall, corne or graine, or any other thing vsuall for the sustenance of men, and being required or commaunded by any Justice of peace, or by the Sherife of the Countie, or by the Maior, Bailife or bailifes, or other head officers of any Citie, or towne corporate, where such assembly shall bee had, by proclamation to bee made in the Queenes name, to retorne in peaceable maner, to their places & houses from whence they came, & they or any of them (notwithstanding such Proclamation) shall remaine and make their continuance together by the space of one whole houre after such commaundement or request made by proclamation, or after that shall in forcible maner do or put in vze any of the things last before mencioned: Then aswel euery such continuing together, as euery such act that after such commandement or request by Proclamation made shal be done, practised, or put in vze, by any persons being aboue the number of xii. shalbe adiudged felony, and the offendours therein shalbe adiudged felons, and shal suffer onely the execution of death, as in case of felony.

I. 9. 12. 1. Cl. 17.

Raising of unlawful assemblies by some act or words.

18 ¶ If any person or persons, unlawfully, & without authoritie by ringing of any Bels, sounding of any trumpet, drumme, horne, or other instrument, or by firing of any Beacon, or by malicious speaking or uttering of any woordes, or making any outcry, or by setting vp, or casting of any bill or writing, or by any other act, shall rayse, or cause to bee raised or assembled any persons to the number of xii. or aboue, to the intent that they shoulde do or put in vze any of y^e thinges aboue mencioned, and that the persons to the number of xii. or aboue so raised and assembled, after request or commandement had or giuen, in forme aforesaid, shall continue together, as is aforesaide, or unlawfully and in forcible maner commit or put in vze any of the thinges abovesaide: Then all and singuler persons by whose speaking, act, or any other the meanes aboue specified, any persons to the number of

of xii. or above, shalbe raised or assembled for the doing, or putting in vze any of the things aboue mētioned, shalbe adiudged for his so speaking or doing, a felon, & shal suffer execution of death, as in case of felony. 1. M. 12. 1. Cl. 17.

19 ¶ If any wife or seruauant of any of the same persons, or any other person whatsoeuer, shal willingly & without compulsion, bring, send, deliuer or conuey, any money, harnesse, artillery, weapon, meat, bread, drinke, or other victuall, to any person or persons so being assembled, as is aforesaid, during such time as hee or they shall so be together: Then euery wife, seruauant, or other person so bringing or conueying &c. any of the foresaide thinges to the same persons so assembled, or to any of them, and not departing to their dwelling places vpon request, or commandement made vnto them as is aforesaid, shalbe adiudged a felon. 1. M. 12. 1. Cl. 17.

Relieving the
which be as-
sembled.

20 ¶ If any persons aboue the number of ii. and vnder the number of xii. being assembled together, shall intend, practise, or put in vze with force of armes, vnlawfully, and of their owne authoritie to murder or slay any of y^e Queens subiects, or to ouerthrow, cut, break, or cast downe, or dig by the pales, hedges, ditches, wall, or other closure of any parke or other ground inclosed, or the bank of any fish pond, or poole, to the intent that the same, or any of them from thenceforth should remaine open not inclosed, or void, or to haue common or way in any of the same parkes or grounds inclosed, or to destroy any parke or fish pond, or poole, or any warren of cunnies, or any Dove houses, or to pul, or cut downe any house, barne, mill, or to burne any stacks of corne, or to alter, defalke, or abate the rentes, or yeerely value of any lands of any the Queens subiects, or the price of any victuall, corne, or graine, or any other thing vsuall for the sustenaunce or apparell of men, and being required or commaunded by any Iustice of peace, or the sherife of the countie, or by any Batoz, Bailifes, bailife, or other head officer of any City, or Towne corporate, where such assemblee shalbe had, by Proclamation to bee made in the Queenes name, to returne to their habitations, & they so required shal not so doe, but after y^e shal in forcible maner in forme aforesaid, attempt to do, or put in vze any of the things last aboue mencioned: Then euery of the same persons being aboue ii. and vnder xii. shal suffer imprisonment by y^e space of one yere without baile or mainprise. And also if any person shalbee dammified or hurt by the comitting of any vnlawful thing aboue mencioned, then he shal recouer and haue dammages with the costs of his suit sustained in that behalfe trebled against the offenders therein. 1. M. 12. 1. Cl. 17.

Unlawful as-
semblies as-
boue ii. and
vnder xii.

The partie
griued shal
recouer treble
damages.

Raising of power to suppress unlawful assemblies.

21 ¶ If any persons above the number of ii. shall bee unlawfully and of their owne authoritie assembled together, to the intent with force and armes, to do, practise, or put in use, any of the things above mencioned, then it shalbe lawfull to every Justice of peace, & to every Sherife in any Countie being within the Queenes dominions, and to every Maior, bailife, and other head officer of any Citie or Towne corporate, for the time he shalbee in office, or any other person or persons having the Queenes commission or letters from her highnesse, as well to raise and assemble y^e Queenes louing subiectes in maner of warre to be arrayed, in such great number, as hee or they then shall thinke meete or able, to the intent by violence & strength to suppress & take the said persons that so shalbe unlawfully assembled, and if the sayd persons so unlawfully assembled, after such commaundement or request by proclamation made, shall continue together, & not indeuor themselves to returne towardes their houses or places from whence they came, in such short time as they may conueniently: Then it shalbee lawfull to every Justice of peace, Sherife, and also every Maior, Bailife, and other head Officer of any Citie, or Towne corporate, and to every other person having authoritie as is aforesayde, after such commaundement or request by Proclamation made, or to such persons as shalbe assembled with any Justice of peace, or Sherife, or with any Maior, Bailife, or other heade Officer of any Citie or Towne corporate, and with every other person having authoritie, as is aforesaid, to suppress and take those persons so assembled, which after such proclamation made, shall continue together and not endeuour themselves to returne towardes their habitations &c. And if the sayde persons so unlawfully assembled, or any of them shall fortune to bee killed, maimed, or hurt, in or about the suppressing or taking of them, then every Justice, Sherife, Maior &c. and every other person having authoritie as is aforesaid, & all and singular persons by him or them assembled, shalbe discharged and unpunishable, as wel against the Queen, as against every other person, concerning the killing, mayming, & hurting of any person so unlawfully assembled, that shalbe killed &c. 1. H. 12. 1. Cl. 17.

Coppholder being required refuseth to serue the R.

22 ¶ Every Copiholder, or customary holder being peoman, artificer, husbandman, or laborer, and being of the age of xviij. yeeres or more, & vnder the age of lx. yeeres, not sicke, impotent, lame, maimed, ne having any other iust or reasonable excuse, or cause to the contrary, and being required by the Sherife, Justice of peace, or other having authoritie by this act, or by commission or letters &c. they declaring their sayde authoritie, or being required by the immediate Lorde or Lordes,

Lordes, of whom such copie or customarie holdes then shalbe holden to serue the Q. for any the causes aboue rehearsed, and refuse so to do, shal (only during the life of such persō so refusing) forfeit to his Lord or Lords of whom such copy or customarie holdes then shalbe immediately holden, and should be holden during the life of such person, in case hee had not so refused, al his copy & customarie holds. And it shall be lawful to every such Lord &c. his heires or assignes, of whom such copy or customarie holdes shalbe immediately holden, & shoulde haue bene holden in case that such person had not so refused, to enter & take into his possession all such copie & customarie holdes so holden of him immediately, and to retaine the same during only the life of every such offender, in such maner as hee shoulde haue had the rentes or seruice of such copie and customarie hold, in case such person had not refused. 1. P. 12. 1. El. 17.

23 ¶ Every Farmour being a yeoman, Husbandman, artificer, or laborer, and being of the age of xviij. yeeres or more, and vnder the age of lx. yeeres, not sicke, impotent, lame, maimed, ne hauing any other reasonable excuse, and being required by the Sherife, Justice of peace, or other hauing authoritie by this act, or by Commission, or letters &c. they declaring their saide authoritie, or being required by his Landlorde or Landlords to whom the rents of such Farmes shall be then comming to serue the Queene for any the causes aboue rehearsed, and refuse so to doe, shall (during onely the life of such farmour so refusing) forfeite to such Landlorde or Landlords, as shoulde haue had the rent of such farmour during the life of such person so refusing, all his sayde Farmes. And it shall bee lawfull to every such Landlord &c. his heires and assignes, to whome the rent of such farmes should haue bene due during the life of such person (in case he had not refused) to enter & take into his hands al such farmes, and to retaine the same during onely the life of every such offender. But after the death, expiration, or determination of the interest or terme of yerres of every such copy holder, customary holder or farmour, as so shall offende and forfeite &c. then every such person as ought to haue had the same after, or by the death, expiration, or determination of the interest, or for terme of yerres of such copyholder, customarie holder or farmour, in case hee had not so offended, ne forfeited, shall and may haue the same copyholdes, customary holdes, and farmes by entre, accion, admission or otherwise, in like maner and condition, and by such meanes, as every of them shoulde or ought to haue had, if no such forfeiture or offence had bene committed. 1. P. 12. 1. El. 17.

¶ farmour required refuse to serue.

Disclosing a
commotion
whereinto one
is moued.

24 ¶ If any person shalbe spoken vnto, moued or stirred to make any commotion, insurrection, or vnlawfull assembly for any of the intents aboue mencioned, and doe not within xiiii. houres next after he shalbe spoken vnto, mooued, or stirred (vnlesse hee haue good reasonable cause of excuse) declare the same vnto one Iustice of y peace or Shirife of the sayde county, or to the Maior, Shirifes, Bailifes, or other head officers of any Citie, or Towne corporat, where such motion &c. shalbe had, hee shall suffer imprisonment by the space of thre monethes without baile or mainprise, vnlesse hee shalbe discharged by thre Iustices of peace (whereof one to bee of the Quorum) of the same Shire where the offence shall bee committed. 1. M. 12. 1. El. 17.

An able persō
required, refus-
eth to serue.

25 ¶ If any person being aboue the age of xiiii. yerres, and vnder the age of xl. being able to serue, and not sicke, lame, or impotent, shalbe required by any Iustice of peace, or any Shirife of any County where any such assembly shalbe, or by any Maior, Bailife, or other head officer of any Citie, Borough, or Towne corporate, or by any other by the commaundement of any such Iustice, Sherife, Maior &c. to go with him or them, to suppress the persons vnlawfully assembled in maner and forme aforesaide, then euery person which so being able & required doth willingly, and obstinately refuse so to doe, shall suffer imprisonment for one yeere without baile or mainprise. 1. M. 12. 1. El. 17.

Attendace by
on a Lieuten-
ant.

26 ¶ If the Q. shall by her letters patentes make any Lieutenant in any Countie or Counties of this Realme, for the suppression of any commotion, rebellion, or vnlawful assembly, then aswell all Iustices of peace, & the Sherife of euery such Countie, as all Maiors, Bailifes, and other head officers, and all inhabitants and subiectes of any Countie, Citie, Borough, or towne corporate, within euery such Countie, shall vpon the declaration of the sayde letters patentes and request made, bee bound to giue attendance vpon the same Lieutenant, to suppress any commotion, rebellion, or vnlawfull assembly, vnlesse hee so required, haue any reasonable excuse for his not attendance, vpon paine of imprisonment for one whole yeere. 1. M. 12. 1. El. 17.

The forme of
the proclama-
tion.

27 ¶ The order and forme of the Proclamations that shall bee made by the authoritie of this act, shalbe as hereafter followeth, or with the like order & words in effect, v3. The Iustices or other persons authorised by this act to make y said proclamatiō, shall make, or cause to bee made an Oyes, and after that, shal openly pronounce, or cause to be pronounced these woordes, or like in effect, The Queene
our

our soueraigne Lady, chargeth and commandeth all persons being assembled, immediatly to disperse themselves, and peaceably to depart to their habitations, or to their lawfull busines, vpon the paine contained in the act lately made against unlawfull & rebellious assemblies, and God saue the Queene. 1. 9. 12. 1. El. 17..

28 ¶ If any person shall molest, let, hinder, or hurt any person or persons that shall proclaim, or goe to proclaim according to the Proclamation and order aforesaid, whereby such proclamation shall not be made, then euery such person so molesting, or hurting &c. and hauing knowledge of his message, shall incurre such danger, and suffer such paines and forfeitures as the persons assembled, to whome the Proclamation should haue bene made, shoulde by this act incurre for not obeying the proclamation (if it had bene made) or for doing after the proclamation of any the things before expressed. And also all such persons being assembled to the number aforesaid, to attempt, or do any the things aforesaid, to whom proclamation should or ought to haue bene made, if the same had not bene let, shall likewise in case they doe after put in vze, and doe any the things aforesaid, hauing any wayes knowledge of the let so made, or by any meanes procuring the same let, incurre like danger, and suffer like paines & forfeitures aforesayd, in euery their degrees, as though the Proclamation had bene made, any clause in this act &c. notwithstanding. 1. 9. 12. 1. Eliz. 17.

Hinderance of
the Procla-
mation.

29 ¶ All and euery the heires of al and euery the offenders in any the cases aforesaid, and all and euery person and persons, bodies politike, and corporate, their heires, successors, and executors, and euery of them (other then such persons onely, as shalbe attainted, conuicted, or outlawed, of any of the aforesaid offences of felony) shall haue, hold, & enioy, all such right, title, entrie, interest, leases, possessions, rentes, conditions, profits, and aduantages, as they or any of them shall, or of right ought to haue, in, or to any landes, rents, reuerfions, seruices or hereditaments, whatsoever, or any part thereof, in as large maner to all intents, as if such attainder had neuer bene had, any thing in this act notwithstanding &c. Sauing to euery person, body politike and corporate, and their successors, their liberties & franchises in such maner, as if this act had neuer bene made. 1. 9. 12. 1. El. 17.

Other mens
rights saued.

30 ¶ If any person do moue, stirre, or procure any other, to commit any of the offences in this act specified, then he shall suffer such punishment by imprisonment without baile or mainprise, as is before expressed in this act against consailors of such offenders. 1. 9. 12. 1. El. 17.

Procuring o-
thers to offend.

31 ¶ If any persons to the number of xii. or more, shall assemble together

Unlawfull
assemble by
xii. or above.

together in forcible maner, unlawfully, and of their owne aucthoritie, to the intent to execute, do, or put in vze any of the things aboue specified, or to do other felonious or rebellious act, or acts, and so shal continue together by the space of iii. howres, after Proclamation shall bee made, at or nigh the place where they shalbe so assembled, or in some market towne thereunto next adioynning, and after notice thereof to them giuen, then euery person so willingly assembled in forcible maner, and so continuing together by the space of iii. howers after such Proclamation made, and notice therof giuen, shalbe adiudged a felon. 1. P. 12. 1. Cl. 17.

Lieutenant
shall not ap-
point a des-
putie.

32 **C** No lieutenant that shalbe made by aucthoritie or colour of this act, or for to execute this act, shall constitute vnder him, or in his place, any deputie, nor shall cal, or appoint to appeare before him by the onely aucthoritie of Lieutenancie, or of Commission of Lieutenancie, any person, for any cause or matter whatsoeuer, saue only for y causes and matters expressed in this act, & for none other. 1. P. 12. 1. Cl. 17.

Binding of the
offendor afore
the offence.

33 **C** No person shalbe put to any losse, forfeiture, paine, or punishment of life, land, or goods, as accessary to any person or persons that shal comit any of the offences contained in this act, for receiuing, comforting, or aiding of any such offendor after such act committed or done. 1. P. 12. 1. Cl. 17.

The attainder
for those offens-
es not cor-
ruption of
blood.

34 **C** No attainder, or conuiction of any person for any offence herein contained, shalbe any corruption of blood betwixt the offendor and any of his aunccestors, or such person as should haue bene heire to such offendor, if no such attainder or conuiction had bene had. Sauing to euery person, body politike, and corporat &c. their liberties and franchises in such maner, as if this act had neuer bene made. 1. P. 1. Parliament. 12. 1. Cl. 17. to continue during the naturall life of Queene Elizabeth, and to the end of the Parliament then next following.

Rome &c.

Maintaining
the aucthoritie
of the Bishop
of Rome.

If any person or persons dwelling, or resiant within any y Queenes dominions &c. or els where within or vnder her obeylance &c. shall by writing, siphering, printing, preaching, or teaching, deede, or act, aduisedly, and wittingly, hold, or stand with, to extoll, set forth, maintaine or defend the aucthoritie, iurisdiction, or power of the Bishop of Rome, or of his see, heretofore claimed, vled or vsurped within this Realme or in any dominions being of, within, or vnder the Queenes obeylance, or by any speech, open deede, or act, aduisedly, and wittingly attribute any such Iurisdiction, aucthoritie, or preheminence to the sayd See of Rome, or to any Bishop of the same within this Realme, or in any the Queenes dominions, then euery such person or persons,

so doing or offending, their abbettoꝝ, procuroꝝ, and counsaillors, and also their aidors, assistants, and comforters vpon purpose, and to the intent to set forth, further, and extoll the sayde vsurped aucthoritie, or iurisdiction of any of the said Bishops of Rome, and euery of them, being thereof lawfully indicted, or presented, within one yeere next after any such offences by him or them committed, and being lawfully conuicted or attainted at any time after, according to the lawes of this Realme, for euery such default and offence, shall incurre into the dangers, penalties, and forfeitures, provided by the statute of prouision and premunire, made 16. R. 2. And if any such offender after such conuiction and attainder, do eftsoones commit the said offences, or any of them in maner and forme aforesaid, and be thereof duely conuicted and attainted, as is aforesayd: then he shall for. and suffer such paines, forfeitures, iudgement, & execution, as is vled in cases of high Treason. But this act, or any attainder to be had by force therof, shall not extend to make any corruption of blood, the disheriting of any heire, forfeiture of Dower, nor to the prejudice of the right, or title of any person, other then of the descndour during his, her, or their naturall liues onely. But charitable giuing of reasonable almes to any of the offenders aboue specified without fraude or couin, shall not be taken to be any such abettement, procuring, concealing, ayding, assisting, or comforting, as ther:by the giuer of such almes shall incurre any paine, penaltie, or forfeiture appoynted in this Act. 5. El. 1.

The second
offence.

Relieving the
offenders.

2 ¶ If any person or persons shall vse, or put in vse in any place within this Realme, or in any the Queenes dominions, any Bull, writing, or instrument, written or printed of absolution, or reconciliation, obtained from the Bishop of Rome, or any his successors, or from any other person or persons aucthorised, or clayming aucthoritie, by, or from the sayde Bishop, his predecessors or successors, or Sea of Rome: Or if any person or persons shall take vpon him or them, by colour of any such Bull, writing, Instrument, or aucthoritie to absolue, or reconcile any person, or to graunt, or promise to any person within this Realme, or any other the Queenes dominions, any such Absolution, or reconciliation, by any speach, preaching, teaching, writing, or any other open deede: Or if any person or persons within this Realme, or any the Queenes dominions, shall willingly receiue, and take any such absolution, or reconciliation: Or els if any person or persons haue obtained or gotten since the last day of the Parliament, holden An. 1. El. or shall obtaine, or get, from the said Bishop of Rome, or any his successors, or sea of Rome, any maner of Bull, writing, or Instrument written, or printed, containing

Giuing or ta-
king absolutiō
by any Bulles
from Rome.

Obtaining of
Bulles from
Rome.

containing any thing, matter, or cause whatsoever, or shall publish, or by any wayes or meanes put in vze any such Bull, writing, or instrument, then all and euery such act and offence, shalbe adiudged to be high treason, and the offenders therein, their procurors, abettors, and counsaillors to the fact, and committing of the said offence or offences, shalbe adiudged high Traitors to the Queene & the Realme, and being thereof lawfully indicted and attainted, according to the course of the lawes of this Realme, shall suffer death, and forf. all their landes, hereditaments &c. and cattels &c. 13. El. 2.

The forf. of the aydoers, comforters, and maintainers, after the offences committed.

3 ¶ All and euery aydoers, comforters, or maintainers of any of the sayd offenders, after the committing of any of the sayd acts or offences, to the intent to set forth, uphold, or allow y doing, or executing of the said vsurped power, concerning the premisses, or any part thereof, shall incurre the paines and penalties contained in the statute of Premunire, made 16. R. 2. 13. El. 2.

Concealing of absolution or Bull offered.

4 ¶ If any person to whome any such absolution, reconciliation, Bull, writing, or instrument shalbe offered, or perswaded to be vsed, put in vze, or executed, shall conceale the same offer, or perswasion, and not disclose it by writing or otherwise, within sixe weekes then next following, to some of the Queenes priue Counsell, or els to the President, or vice President of the Queenes Counsell established in the North, or in the Marches of Wales, then he shall incurre the penalty and forfaiture for misprision of high treason. But no person shalbe troubled for misprision of treason, for any offence made treason by this act, other then such as before are declared to be in case of misprision of high treason. 13. El. 2.

Agnus dei, crosses, pictures.

5 ¶ If any person shall at any time bring into this Realme, or any the dominions of the same, any token, or thing called Agnus dei, or any crosses, pictures, beades, or such like vaine and superstitious things from the Bishop or sea of Rome, or from any person or persons aucthorised, or claiming aucthoritie by, or from the sayde Bishop or sea, to consecrate, or hallowe the same, if the same person shall deliuer, or cause or suffer to be deliuered the same, or any of them, to any subiect of this Realme, or of any the dominions of the same, to be woꝛne or vsed in any wise, then aswell the same person so doing, as also euery other person which shall receiue and take the same to the intent to vse or weare the same, being thereof lawfully convicted and attainted by the order of the common lawes of this Realme, shall incurre into the dangers, penalties, and forfeitures ordeyned by the statute of Premunire and Prouision, made 16. R. 2. Sauing to euery person, and body politike their heires and successors other then

Other mens rights laued.

then the offenders, and their heires, and such as claime to their vles) all such rights, titles, leases, rents, reuerfions, offices, fees, hereditaments &c. as they or any of them shall haue the day of committing such offences, or any time before. 13. Cl. 2.

6 ¶ If any person to whome any such Agnus dei, or other the things aforesayd shalbe offered to be deliuered, shall apprehend the partie so offering the same, and bring him to the next Justice of peace of the shire where such tender shalbe made (if he shalbe able so to doe) or for lacke of such abilitie, shall within iii. dayes next after such offer made, disclose the name & dwelling place or places of resort of the person which shall make such offer (which he shall endeavour himselfe to know by all y^e meanes he can) to the Ordinarie of the diocesse, or to any Justice of peace of the shire, where such person to whom such offer shalbe made shalbe resiant. And also if such person to whom such offer shalbe made, shal happen to receiue any such Agnus dei, or other thing aboue remembred, and shall within the space of one day next after such receipt, deliuer the same to any Justice of peace within the same shire, where the partie so receiuing shalbe then resiant, or shal happen to be, then euery such person or persons doing any the acts or things last aboue mencioned, in forme aboue declared, shall not by force of this statute incurre any danger or penaltie. 13. Cl. 2. And that Justice of peace to whom any such matter shalbe declared, shall disclose the same within xiiii. dayes after to one of the Queenes priuy Counsel, or els he shal incurre the danger of Præmunire. S. Justice of peace 100.

Apprehending the offender, or disclosing his name.

7 ¶ All persons whatsoeuer, which haue or shall haue, or shall pretend to haue power, or shall by any waies or meanes, put in practice to absolue, perswade, or withdrawe any of the Queenes Maiesties subiects, or any within any her highnes dominions, from their natural obedience to her maiestie, or to withdrawe them for that intent from the religion now by her highnesse aucthoritie established within her dominions, to the Romish Religion, or to moue them, or any of them, to promise any obedience to any pretended aucthoritie of the Sea of Rome, or of any other prince, state, or potentate, to be had or vled within her dominions, or shall doe any ouert act, to that intent or purpose, and euery of them, shalbe to all intents adiudged to be Traytors. And being thereof lawfully convicted, shall haue iudgement, suffer and forfeite, as in case of high treason. And if any person shall after the end of this Session of parliament by any meanes be willingly absolued, or withdrawn as aforesayde, or willingly be reconciled, or shall promise any obedience to any such pretended aucthoritie, prince, state, or potentate, as is aforesayde,

Withdrawing the subiectes from their obedience to the Quene.

Reconciling or being reconciled.

foresayd, then euery such person, their procurors and counsaylers thereunto, being thereof lawfully conuicted, shall be taken, tryed and iudged, and shall suffer and forsaite, as in cases of high Treason 23. Eliz. 1.

Widors and
maintainers
of p-offenders.

8. ¶ All and euery person and persons, that shall wittingly be aydoers, or maintayners of such persons so offending as is aboue expressed, or of any of them knowing the same, or which shall conceale any offence aforesayde, and shall not within twentie dayes at the furthest, after such persons knowledge of such offence, disclose the same to some Justice of peace, or other higher officer: shall be taken, tryed, and iudged, and shall suffer and forsaite as offenders in misprision of treason. And if any Peere of this Realme shall happen to be indicted of any offence made treason, or misprision of treason by this act, he shall haue his triall by his Peeres, as in other like cases is accustomed. 23. El. 1.

Trial of peeres

1. The punishment of Iesuites and Priestes ordeined by aucthoritie deriued from the sea of Rome, which come into this Realme, and of those which receiue them, S. Iesuites.

¶ Sacraments & Seruice deuine.

Disreuerent
speaking as
gainst the
Sacrament.

If any person shall by any contemptuous wordes, depaue, despise, or contemne the Sacrament of the body and blood of Christ, or speake against the receiuing thereof, vnder both kindes, or shall aduisedly in any other wise, contemne, despise, or reuile the same, he shall suffer imprisonment, and make fine at the Queenes pleasure. 1. Edwardi sexti. 1. 1. Elizabeth 1. S. Iustice of peace. 8.

Refusing to
vse common
prayers or to
minister the
Sacraments
in due order.

2. ¶ If any Parson, Vicar, or other Minister, hauing any spirituall living, which ought to sing or say common prayers, or to minister the Sacraments, shall refuse to vse the common prayers, or to minister the Sacraments in such places as he shoulde vse to minister the same, in such order and fourme, as they be set forth in the booke of common prayer &c. aucthorised by Parliament Anno 5. & 6. Edwardi sexti, with certayne additions &c. or shall wilfully, or obstinately standing in the same, vse any other rite, ceremonie, order, fourme, or maner of celebrating the Lords Supper, openly, or priuily, or administration of the Sacraments, Mattens, Euen song, or other open prayers, (vz. such prayers as others be to come vnto) then is mencioned and set forth in the sayd booke: Or shall preach, declare, or speake any thing in depauiing of the said booke, or of any thing therein contained, or of any part thereof, and shall be thereof conuict, according

according to the lawes, by verdict of twelve men, his owne confession, or by the notorious evidence of the fact, he shall for the first offence forfeite to the Queene one whole yeeres profite of all his spirituall promotions, and be imprisoned sixe moneths without bayle or mainprise, for the second offence being once before convicted, shall be deprived of all his spirituall promotions, and be imprisoned twelve moneths &c. and being twice convicted, shall for the third offence be imprisoned during his life, besides deprivation of all his spirituall livings. 1. Elizabeth. 2.

3 ¶ If the partie offending, and being convicted in forme aforesaid, have no spirituall livings, he shall for his first offence be imprisoned one whole yeere, and for the second, during his life. 1. El. 2.

An offender
having no spiri-
tuall living.

4 ¶ Whosoever shall in any Enterludes, playes, songs, rimes, or by open wordes speake any thing in the despising, depraving, or derogation of the same booke of common prayer, or of any thing therein contained, or any part thereof, or shall by open act, deede, or threatnings, compell, procure, or maintaine any Parson, Vicar, or Minister in any Church, Chappel, or other place, to sing or say any common or open prayer: Or to minister any Sacramentes in other forme then is mencioned in the sayde booke, or shall interrupt any Minister &c. in any Church, or other place to sing or say comon prayer, or to minister any of the Sacraments, in such forme, as is mencioned in the said booke, shall forfeit to the Queene for his first offence C. marks, and being once convicted, shall forfeit for his second offence CCC. marks, and being twice convicted, shall forfeit for the third offence all his goods and cattels, and also suffer imprisonment during his life, and he which for his first offence doth not pay the C. marks within vi. weekes next after conviction, shall for the same offence, in steade of the sayde summe, suffer imprisonment vi. moneths without bayle or mainprise, and he which doth not pay the CCC. marks within vi. weekes next after his second conviction, shall in steade thereof be imprisoned xii. moneths &c. 1. El. 2.

Depraving of
the booke of
common pray-
er, or procu-
ring other
common
prayer.

5 ¶ Every person having no reasonable excuse to be absent, shall resort to the parish Church or chappel, or (upon reasonable let) to some place where the common prayer shall be used, upon every Sunday, and other dayes ordeined and used to be kept as holy dayes, and then and there shall abide orderly and soberly during the time of comon prayer, preachings, or other Gods service, upon paine of forfeit. for every offence xii. d. to be leuyed by distress of his goods, lands &c. by the Churwardens, to the use of the poore of the same parish, and also shall be punished by the Censures of the Church. 1. El. 2.

Every person
shall resort to
the Church.

Within what
time the offend-
er shall be
indicted.

6 ¶ No person shall be impeached or molested for any of the offences above mentioned, unless he be indicted at the next general sessions holden before any Justices of Oyer & ter. or Justices of assise, next after any such offence committed. 1. El. 2.

Who may in-
quire of, and
punish the
foresaid
offences.

7 ¶ Justices of Oyer & deter. and Justices of assise in their generall sessions, and the Mayor of London, and all Mayors, Bailiffes, & other head officers of all Cities, Boroughs, and townes corporate, to the which Justices of assise do not commonly repaire, haue aucthority to inquire, heare & determine all offences committed contrary to any article, contained in this act, within x. dayes after Easter, and Saint Michael, & to make proces for the execution of the same, as they may do against any person indicted before them of trespass. And euery archbishop & bishop may at all times associat himselfe to the said Justices &c. at euery their generall sessions holden within his Dioces for the inquirie, hearing, and determining of the said offences. 1. El. 2.

8 ¶ All Archbishops, Bishops, and euery of their Chauncelors, Commissaries, Archdeacons, and other Ordinaries, hauing any peculiar ecclesiasticall iurisdiction, haue power to enquire within their iurisdiction, to take informations and accusations of all things above mentioned, committed within the limits of their iurdictions, and to punish the same by admonition, excommunication, sequestration, or deprivation, or other Censures, and proces, as haue bene vsed in the like cases by the Queenes ecclesiasticall lawes. 1. El. 2.

But once pun-
ished for one
offence.

9 ¶ Whatsoever person offending in the premisses, shall for his first offence receiue punishment of his Ordinarie, hauing a testimoniall thereof vnder the said Ordinaries seale, shall not for the sayd offence be eftsoones punished before the Justices, et c. conuerso. 1. El. 2.

Saying or
hearing of
Mass.

10 ¶ Euery person which shall say or sing Masse, being thereof lawfully conuicted, shall forfe. the summe of 40. Markes, & be committed to prison in the next gaole, there to remaine by the space of one yere, & from thenceforth til he haue paid the said summe of 40. Markes, & euery person which shall willingly heare Masse, shall forfe. the summe of one hundredeth markes, and suffer imprisonment for a yere. 23. El. 1.

Repairing to
the Church.

11 ¶ Euery person above the age of xvi. yeres, which shall not repaire to some church, chappell, or vsuall place of common prayer, but forbear the same, contrary to the tenor of a statute made in the first yere of her Maiesties raigne, for vniformitie of common prayer, and being thereof lawfully conuicted, shall forfe. to the Queenes Maiestie for euery moneth after the ende of this Session of parliament, which he or she shall so forbear, xx. li. And that ouer and besides the said forfeitures, euery person so forbearing by the space of xii. moneths as aforesayd,

305
aforesayd, shall for his or her obstinacie (after certificat thereof in writ-
ting made into the court, commonly called the Kings Bench, by the
Ordinary of the dioces, a Justice of assise and gaole deliuey, or a Jus-
tice of peace of the countie where such offendor shall dwell or be) be
bound with two sufficiēt suerties in the summe of £ C. li. at the least,
to the good behauiour, and so to continue bound vntill such time as
the persons so bound do conforme them selues, & come to the church,
according to the true meaning of the sayde statute made in the first
yere of the Queenes Raigne. 23. E. 1.

12 ¶ If any person or persons, body politike or corporat, shal kepe Scholemaster.
or maintaine any Scholemaster, which shall not repaire to Church
as is aforesayd, or be allowed by the Bishop or Ordinarie of y^e dioces
where such scholemaster shalbe so kept, shall forf. for euery moneth
so keeping him, tenne poundes. Prouided that no such Ordinarie or
their minister, shall take any thing for the sayd allowance.) And such
Scholemaster or teacher presuming to teach contrary to this act,
and being thereof lawfully conuicted, shalbee disabled to be a teacher
of youth, and shall suffer imprisonment without bayle or mainprise
for one yere. 23. E. 1.

13 ¶ Euery person which vsually on the Sunday shall haue in Seruice in a
his or her house the diuine seruice which is established by the lawe in mans priuate
this realme, and be thereat himselfe, or her selfe, vsually or most com-
monly present, and shall not obstinately refuse to come to church, and
there to do as is aforesayde, and shall also iiii. times in the yere at the
least, be present at the diuine seruice in the church of the parish where
he or she shalbe resident, or in some other open common church, or such
chappel of ease, shall not incurre any paine or penaltie limited by this
act, for not repairing to the Church. 23. E. 1.

14 ¶ All forsaitures of any summes of mony limited by this act, To what vse
shalbe deuided in thre equall partes, whereof one third part shalbe to h^e forsaitures
the Queene, to her owne vse, one other third part to the Queene, for shalbe implot-
reliefe of the poore in the parish where the offence shalbe committed, ed.
to be deliuered by warrant of the principal Officers in the receipt of
the Eschequer, wout further warrant from her Maiesty, & the other
third part, to such persō as wil sue for y^e same, in any Court of record,
by A. B. P. or J. in which suit no E. P. W. shalbe allowed. And euery
person which shall forsaite any summes of money by vertue of this
act, and shal not be able, or shall fayle to pay the same within thre mo-
nethes after iudgement thereof giuen, shall bee committed to prison,
there to remaine vntill he haue payed the said summes, or conforme
himselfe to goe to church, & there do, as is aforesayd. 23. E. 1.

Couenous
conueiances,
to defraud for
captures.

S. Rome 2. 3c.

A guilty pers
on confor
ming himse.

Ecclesiasticall
Censures.

What things
be requisit to
make safecon
dits effectual.

15 **E**uery graunt, conueiance, bond, iudgement, and executi-
on, had or made, sithence the beginning of thys Session of Par-
liament, or hereafter to be had or made, of couenous purpose, to de-
fraude any interest, ryght, or title, that may or ought to growe to
the Queene, or to any other person, by meane of any conuiction, or
iudgement by vertue of this statute, or of the statute of 13. Eli. 2. shall
be, and be adiudged to be vtterly voyde against the Queene, & against
such as shall sue for any part of the sayd penalties in forme aforesayde.
23. Eli. 1.

16 **E**uery person guiltie of any offence against this statute,
other then Treason, and misprision of Treason, which shall before
hee bee thereof indicted, or at his arraignment, or tryall before
iudgement, submit and conforme himse before the Bishop of the
dioces, where he shall bee resident, or before the Iustices where hee
shall be indicted, arrayned or tryed (haupng not before made lyke
submission, at any his triall being indicted for his first lyke offence,)
shall vppon his recognition of such submission in open assises or ses-
sions of the countie, where such person shall be resiant, bee discharged
of all and euery the sayd offences against this act, (except treason and
misprision of treason) and of all paines and forfeitures for the same.
23. Eli. 1.

17 **P**rovided, that neyther this acte, nor any thing therein con-
tayned, shall extende to take away or abridge the auctoritie, or iuris-
diction of the Ecclesiasticall Censures for any cause or matter, but
that the Archbishops and Bishops, and other Ecclesiasticall
Judges may doe, and proceede, as before the making of this act they
lawfully did or might haue done: Any thing in this act to the contra-
ry notwithstanding. 23. Eli. 1.

1 Arresting a Priest which is doing deuyne Seruice. See Ar-
restes, 1.

2 That there shall be a Bible and a booke of common prayer in
euery parish Church in Wales in the wealch tongue, and another in
the English tongue. S. Wales 125, 126.

Safecondites.

Euery safecondite to be graunted to any person or persons, the
names of the owners of the shippes, and of the masters, and the
number of the mariners, with the carriage of the Shippes shall bee
expressed. 15. H. 6. 3. And if any Shippes or vesselles charged with
Marchandise, of any marchauntes being the Queenes enemies bee
taken vpon the Sea by any of the Queenes liege people, yf the
masters,

masters, possessors, or Marchants of such Shippes &c. haue not within the boorde of their Shippes &c. at the day of the taking of them, the Queenes letters patentes of her safecondit, suretie, or sauegarde for such Shippes &c. and merchandise, making mention of the names of the shippes &c. and of the name of the master of the same, or the sayde letters patentes the day of the taking be not inrolled of record in the Chauncerie, then the takers and possessours of the goodes and merchandises may continually enioye and holde them without making any restitution of the same. 18. H. 6. 8. And all letters of safecondite graunted to any of the Queenes enemies, or other which be not inrolled of recorde in the Chauncerie before the deliuerie of them to whom they be graunted, be voyde. 20. Henrici sexti. 1.

Enrolment of
safecondit.

2 ¶ If any of the Queenes subiectes do take any ships of any of the Queenes enemies loaden wth marchandise, not hauing nor shewing such letters of safecondit within the said shippes at the time of the taking of them, and do lead them away with force to any place within y^e realme, they shal not be endamaged for such taking, if they be ready to make restitution of such ships and merchandises, within reasonable time after notice is giuen to them of sufficient safecondit for the same ships, and marchandise, inrolled in the chauncerie of record before the taking thereof. 20. H. 6. 1.

Taking of
their shippes
which haue
safecondit.

3 ¶ If any of the Queenes subiects attēpt, or offend vpon y^e sea, or in any port wⁱⁿ this realme vnder her obeisance against any straunger being vpon the sea, or in any port aforesayde, by way of amitie, league, or truce, or by force of y^e Q. safecondit or sauegarde, in any wise, & specially in attaching of any such strange person, robbing or spoiling of him, his ship, or any other goodes, or against any other person of her liege people: the Chancelor of Englad hath aucthority, calling to him any of the Iustices of the one bench or of the other, vpon a bill or bills of complaint to him made in this behalfe, to make such proces out of the said Chauncery, as wel against all such offenders to bring thē into y^e Chauncerie, there to answer to y^e parties so greued in this behalfe, as against any other person or persons, to whose hands any such person so attached, ship or goods shal come, as for y^e deliuerāce & restitution by thē to be made of y^e same persō, ship, & goods, as shal seeme to the same Chauncelloz most expedient. And vpon this proces, the said Chauncelloz further shal procede in this matter, if the case doe so require, by aduice of any such Iustice, to make the strangers so greued to haue full restitutioⁿ of any such person so attached, & of al such ships, and goods, & also of al their costs, expences & losses sustained by thē in this behalfe, & thereupon to make al maner of exectution out of y^e said

Restitution to
one hauing a
safecondit
which is robb
ed.

Chauncerie in such forme, as shall seeme to the said Chaunceloz most expedient for such deliuerance, & restitution to be had, calling to him any such Justice &c. 3 1. H. 6. 4.

1 That all Aliens being in amitie with the Q. which bring in vi-
tailes, shalbe vnder the Queenes safeconduit, S. Vitailes 2.

¶ Sanctuarie & abiuration.

Diuers sanc-
tuaries taken
away.

AL Sanctuaries and places priuiledged, which haue bene vsed or taken for any sanctuarie (except parish Churches, and their Churchyards, cathedrall churches, hospitals, and churches collegiat, and all chappels dedicat, vsed as parish churches, and the sanctuaries to euery of them belonging, and except such places and territories, as hereafter be appointed to be places of tuitiō and priuiledge) shalbe vtterly extinguished for any such liberty or priuiledge of sanctuarie to all purposes &c. 3 2. H. 8. 1 2.

Places of sanc-
tuarie.

2 These places and territories hereafter expessed, v3. Welles in the Countie of Somerset, Westminster, Northampton, Norwich, Poike, Darby, Launceston, (Westchester in y countie of Chester, or some other towne or place appoynted by proclamation by King H. 8. as Stafford. &c. 3 3. H. 8. 1 5.) shalbe allowed, and taken for places of priuiledge, & tuitiō for terme of life, of all and singuler offenders, of whatsoeuer kinde euery their offences shalbe, for the which the paines of death should ensue by the lawes of this Realme, other then such as hereafter be excepted. But the sayde priuiledged places shalbe allowed ouely within the bounds appointed, and returned into the Chauncery vnder the seales of Commissioners, authozised by commissions vnder the great seale of England, to make perambulations, and to appoynt howe farre & where the bounds of euery of y said priuiledged places shall extend, and not els where within the residue of y City or Towne where such limits be appointed. 3 2. H. 8. 1 2.

The forme of
abiuration.

3 If any person flee, or resort to any parish church, cemitory, or other like hallowed place, for tuitiō of his lyfe, by occasion of any murder, robberie, or any other felonie by him committed, & thereupon confesse any murder, felonie, or other offence before the Coroner, wherefore he by the lawes of this realme heretofore vsed shoulde abiure, & passe out of the same: y same person thereupon shall abiure frō all his libertie of this realme, & from his liberall & free habitations, resorts, & passages, to & from the vniuersal places of this Realme which appertaine to the libertie of y Q. subiects vndefamed, & shal forthwith be directed by the Coroner taking & recording such abiuration, to any one sanctuarie being wīn this realme, which y same person will chose,
there

there to remaine as a sanctuarie person abiured during his naturall life, & shalbe swozne befoze þe Coroner vpon his abiuration so to do, 22. *xx. Persons in one place.*
 H. 8. 14. But there shal not be at any one time aboue xx. priuiledged persons receiued into any one of the foresaide priuiledged places. 32.
 H. 8. 12. whether a man may abiure the realme in other cases at this day then for felonie *Quare. S. Forests. 1.*

4 ¶ And the Coroner immediatly after his confession and befoze his abiuration, shall cause euery such felon or murderer to be marked with an hot Iron vpon the browne of the thumbe of the right hand, with the signe of an A. to the intent he may the better bee knowne among the Queenes subiectes that he was abiured: and then to giue him his abiuration, and to be vsed in all other things as hath bene accustomed. And all Maiors, Bailifes, and Constables shalbe attendant at the commandement of the Coroner, for the due execution thereof, as they will aunswere at their perils to the Queene for the same. 21.
 H. 8. 2.

5 ¶ If any person do take any refuge or sanctuarie in any parish church, or churchyard, cathedraal Church, Hospitall, Church collegiat, or other chappel dedicate, commonly vsed as parish churches, or in the Cemitorie to any of them belonging, for any offence (other then such as be hereafter excepted) then he shall & may remaine there by þe space of xl. dayes as hath bene vsed, vsing himselfe in al points according to þe lawes & statuts of the realme, vnlesse the Coroner in þe meane time repaire vnto him for þe taking of his abiuration, in which case vpon repaire of the said Coroner, he shall and may abiure to any of the sayde priuiledged places befozenamed not being ful of the number to euery of them appointed, there to remaine during his life, vsing himselfe in such like order in all things as is appointed by þe statutes & lawes of this realme, for the good order of sanctuarie persons to be obserued within priuiledged sanctuaries. 32. H. 8. 12.

6 ¶ If any felon, or murderer, that ought to haue any such abiuration, refuse to take his passage out of the said sanctuary at such time as shalbe limitted vnto him by the said Coroner, then he shall lose the benefit of þe same sanctuarie, & be taken out of the same, and committed to prison, and farther be ordered for his offence after his merits, without any restitution to sanctuarie for the same. 21. H. 8. 2.

7 ¶ The officer or gouernor of euery of the sayd priuiledged places and territories, shall dayly cal by himselfe, or his deputie, all & euery of the sayd priuiledged persons by their names, & if any of them do make default at thre seuerall daies together, & do not personall appere at any of þe said thre dayes, hauing no lawfull excuse to þe contrary,

trary, the which maketh default, shall lose the privilege of all & every of the said privileged places. 32. H. 8. 12.

Now the ab-
iured person
shall be brought
to sanctuarie.

8 ¶ If any person do abiure to any of the said privileged places according to the puruey of this act, he shall be vled, conducted, & brought from constable to constable directly, according to the order of y^e lawes heretofore vled for the conducting of abiured persons to their portes after their abiurations, untill such time as he bee brought to the gouernor of the said privileged place whereunto he shall so be abiured, or to his deputy. And if at the bringing of him thither, it shall appeare by the register there kept of the names of the privileged persons then being in the sayde privileged place, that the sayde privileged place is then full of the sayd number of the sayd privileged persons, being then there lawfully privileged: the the gouernor of the sayd privileged place, or his deputy, shall declare vnto the said abiured person, and to the officer that conducteth him, that the said abiured person may not be there receiued, for that the said privileged place is the already full of his number, and thereupon shall commaund the sayd officer to conduct and deliuer the sayde abiured person to the Constable, or other officer of the next towne adioyning to the sayde privileged place leading directly to the next of the said other privileged places: And the same abiured person so to be deliuered from constable to constable, officer or officers of euery Towneship tending towarde the same next privileged place untill hee be thither conducted, and there deliuered, to remaine as is aforesaide. And the gouernor of the sayd privileged place, where such refusall was had, or his deputy, shall make an entry in the said Register of the whole matter, v^z. what day and yere the said abiured person was brought thither vnto him, and by what officer, and for what cause he did refuse the receiuing of him, and to which of the other said privileged places the said abiured person was from thence appoynted to be conueyed, and shall before the departure of the said abiured person, deliuer to him a true copie of the said entrie, to the intent he may deliuer the same to the gouernour of the sayd other privileged place to the which he shall be conducted, or to his deputie. And the said gouernor of the same privileged place if that same place be not then full of his number, shall receyue the sayd abiured person, vpon the sight of the sayde bill, there to remaine during his life as a privileged person, according to the puruey of this statute, And like order shall bee alwayes obserued for the conducting of all abiured persons from euery of the sayde privileged places being full of their number, at the time of the bringing thither of any such abiured person, to the next other of the sayde places, untill

Thomas Bullard
Thomas Giff
Thomas Giff

untill the sayd abiured person be receiued into one of the sayde priuiledged places not hauing his full number according to the puruew of this act. And euery gouernoz of the said priuiledged places not doing his duetie, according to the puruew of this act, and euery Constable and other the Queenes officers refusing to receiue or to cōduct such abiured persons, shall forfait to the Q. for euery of their defaults in this behalfe xl. s. 32. H. 1. 12.

9 ¶ If any of the sayde abiured persons, within the time he shall be in any of the said priuiledged places, as a priuiledged man, commit any felony or other offence, for the which the penaltie of death should ensue by the lawes and statutes of this realme, then he shall for euer lose the priuiledge aswell of the sayd place, as of al other sanctuaries before named. 32. H. 8. 12. And it shall be lawful to al and singular Iustices of peace and the high sherife of the countie, or other place where the sayd sanctuarie is, and to all and singular Maiors, sherifes, and bailifes of Citie and towne corporate where such sanctuary is, and to euery of them, & to the seruants and officers of any or euery of them in their presence, to take out of the same sanctuarie euery such sanctuarie person so offending, and being indicted of the same, and to commit him to the Queenes Gaole, within y^e shire or liberty where any such indictment is found against him, safely to be kept till he shall be of the same felony, or of the accessarie to any such offences, whereof he shall be indicted, conuicted, attainted, or discharged by the law. 23. H. 8. 14. 32. H. 8. 3.

Losing of sanctuarie by committing of felony.

10 ¶ But if any person which was at any time a sanctuarie person for any felony, obtayne the Q. pardon, and thereby, or otherwise be out of sanctuarie, discharged or purged of the offence wherefore he toke sanctuarie, and after ward do commit other felony or manslaughter by chance medly, & not murder of malice prepenced, and thereupō againe take sanctuarie, the same person shall haue and enioy the priuiledge of sanctuarie for that his other offence of felony or manslaughter by chance medly, as he might haue had before the making of this act. 22. H. 8. 14. 32. H. 8. 3.

Where one offender may twice haue sanctuarie.

11 ¶ If any person being in any sanctuarie as a sanctuary person shall be indicted for any felony supposed to be committed by him going out of the same, or any other sanctuarie, & committing the same felony whyles he was so a sanctuarie person, he shall not be taken out of the same sanctuarie before y^e he be examined thereof by ii. of the Q. counsell or by iiii. Iustices of peace of the shire where the sanctuarie is, wherein the person so indicted is resident, and if within iiii. daies after the first examination, he do make such prooue as y^e saide examiners shall thinke

None shall be taken out of sanctuarie before he be examined.

R r. iiii.

sufficient,

Sanctuarie & abjuratiō.

sufficient, that he was in the sanctuarie at the time of the saide felony committed, then he shalbe suffered to remaine in the same sanctuarie, without any extraction, the saide indictment or any thing in this act &c. notwithstanding. 22. H. 8. 14. 32. H. 8. 3.

**Sanctuary
persons shall
weare badges.**

12 **C** All & singular persons which shalbe priuiledged in any sanctuarie, for murder or felony, shal dayly whensoever they be without the house or mansion wherein they haue their lodging, weare a badge, or cognisance, by the gouernor of euery sanctuarie assigned, openly vpon their vpper garment, of the compasse in length & breadth of x. ynches, vpon paine that whensoever any of them being out of the saide house, or mansion wherein he hath his lodging, shalbe taken without y^e same badge, clerely to lose his priuiledge of sanctuarie. And it shalbe lawfull to all and singular y^e Queenes subiects, to apprehend euery such offender being without his badge, & him to bring out of the sanctuarie into y^e next gaole, there to remaine vnto the next gaole deliury, and then to be tried according to the order of the law, as though hee had neuer bene priuiledged in any such sanctuarie. 27. H. 8. 19.

**Sanctuarie
persons shall
weare no wea-
pons.**

13 **N**o priuiledged persons at any time shall beare, occupie, or weare vpon them any maner of sword, knife, or other weapon, other then their meate knives, and y^e same meate knives but at their meales onely, vpon paine as is before rehearsed. 27. H. 8. 19.

**Whode before
or after sunne.**

14 **I**f any of the saide priuiledged persons shall at any time bee found or taken out of his lodging before the Sunne rising in the morning, or after the sunne going downe in y^e euening, he shall at the first time suffer imprisonment within the same sanctuarie by the space of two dayes, and at y^e second time haue imprisonment by the space of vi. dayes, & at the thirde time (& the same being substantially proued by indifferent proues thereof to be made before the Lord Chauncelour) shall lose his priuiledge of sanctuarie. 27. H. 8. 19.

**Resisting their
gouernours.**

15 **I**f any sanctuarie person of preped malice, at any time do rescue, or resist any of the gouernours aforesaid, or their deputies in executing of their office, in taking & imprisoning of any of y^e persons priuiledged offending contrary to the tenor of this act, then he y^e shall fortune to make rescous, shalbe taken out of sanctuarie, and shall suffer and be tried as a felon in euery thing. 27. H. 8. 19.

**The gouers-
noys of sanctu-
aries may de-
termine con-
tracts.**

16 **T**he gouernours or their deputie, of any of the same sanctuaries, where any contract of debt vnder xl. shillings Trespas, or couenante shall be made, growe, or be, with in any of the saide sanctuaries betweene any of the sayd priuiledged persons, and other inhabitants within any such sanctuarie, haue aucthority to order, iudge, and determine the same according as it shalbe duely there proued before the

the sayd gouernours. 27. W. 8. 19.

17 ¶ No person shal haue the priuiledge of the sanctuarie which is an offendour in any kindes of high treason, whatsoeuer they be, nor any of his aydours, consentors, counsaylors, nor abbettours, 26. W. 8. 13. Nor any person or persons offending in any treasons. 28. W. 8. 7.

These shal not haue the priuiledge of sanctuarie, Treason.

18 ¶ Nor which conspireth to take, or keepe from the Queene, any of her castles, or to destroy any of them, hauing munition or guarded with souldiers for the defence of this Realme, and the same by manifest act doth declare. Nor which is an aydor, counsaylour, comforter, consenter, or abbetto to any such offendour, knowing thereof. 14. El. 1. S. Castles. 1.

Taking the D. castles.

19 ¶ Nor which being a vagabond, and vpon his second conviction on for his rogish life, is takē by some person into seruice, from whom he departeth within two yeeres. Nor he which being twice convicted as a vagabond, doth fall the third time, or more often times to a rogish life. An. 14. El. 5. S. Vagabonds. 6, 8.

Vagabond.

20 ¶ Nor which is attainted, or cōuicted of murder of malice prepenced, or of poysoning of malice prepced, or of breaking any house by day or by night, any person being in the same house, and therby put in feare, or of robbing any person in, or neere vnto the high way, or of felonious stealing of any horses, geldings, or mares, or of felonious taking of any goods out of any church or chappell, or being indicted or appealed of any of the sayd offences, and thereupon founde guilty by verdict of xii. men, or shall confesse the same vpon his arraignment, or will not answere directly according to the lawes, or shall stand wilfully or of malice mute. 1. Ed. 6. 12. S. Clergie. 13.

Murder.

Burglary.

21 ¶ Nor which doth practise Inuocation, or Cōiuration of wicked spirits, or enchantment, witchcraft, charme or sorcerie, whereby any person shalbe killed, or whereby any person shalbe consumed, or lamed in his body, or his goods wasted, being once convicted of the sayd second offence before. 5. El. 16. S. Coniuration. 1.

Coniuration, Witchcraft.

22 ¶ Nor which is convicted or condemned of any the offences prohibited by the statute prouided agaynst the forging of evidences and writings by any of the wayes or meanes limited in the sayde statute, and doth eftsoones commit any of the sayd offences. 5. El. 14. S. Forger. 4.

Forging of evidences.

23 ¶ Nor any souldier seruing the Queene in her warres, in any of her dominions, or on the sea, or beyonde the sea, or in Scotlande, which departeth without license of the Lieutenant, high Admirall, vice Admirall, Warden, or Captayne, and in their absence of their

Lieute-

Lieutenants. 2. Ed. 6. 2. S. Captaines. 3.

24 **N**or any person which is attainted of any of the offences made felonie by the stat. provided 23. El. against seditious words and rumors uttered against the Q. maiestie. 23. El. 2. S. Newes. 5. 6. 7.

¶ Second deliuerance.

As soone as returne of the Cattell is awarded to him which did distrayne the same, the sherife shall be commanded by a Iudicial writ to make returne of the cattell to the partie which tooke the distresse, in which writ it shalbe expressed, that the sherife shall not deliuer them without a writ making mencion of the iudgement giuen by the Iustices, which cannot be without a writ issuing out of y^e rounles of the same Iustices before whome the matter was in suit. And if he which is distrayned to goe vnto the Iustices, doe desire to haue the same cattell repleuied vnto him agayne, he shall haue a iudiciall writ that the sherife (taking suertie to prosecute the suit, and to returne the cattell or their price, if returne be awarded) shall deliuer vnto him his beasts, or cattell before returned, and he which distrayned, shalbe attached to appeare at a certaine day before y^e Iustices, before wh^o the suit shalbe determined in the presence of the parties. And if he which repleuied the cattell do make default agayne, or for any other cause, returne of the distresse shalbe awarded now twice repleuied, the distress shal for euer remayne irrepleuifable. But if a distress be taken of new, and for a newe cause, the proces vsed in the repleuin shall be awarded. **W. 2. 13. Ed. 1. 2.**

1 Where the auowant in second deliuerance, shall recouer damages and costs. S. Damages. 8.

2 That auowrie, iustification, or Conufance may be made vpon the lande, in seconde deliuerance, without naming any person certaine. See Auowrie, 1.

¶ Sewers.

Commissions of Sewers &c. shalbe directed in all partes within this realme from time to time for euer (3. Ed. 6. 9.) where and when need shal require according to the forme and effect hereafter ensuing, to such substanciall and indifferent persons as shalbe named by the Lord Chancelour, and Lord Treasorer of England, and the two chiefe Iustices for the time being, or by thre of them, wherof the Lord Chancelor to be one.

The forme of
the Commission
of Sewers.

2 **E**lizab. &c. knowe ye that forasmuch as the walles, ditches, bankes, gutters, sewers, gotes, calceys, brydges, streames, and other defences

defences by the coasts of the seas and marsh ground, being and lyng within the limits of A. B. or C. in the countie or counties of L. M. or in the borders or confines of the same, by rage of the sea, flowing, and reflowing, and by meane of the trenches of fresh waters descending and hauing course by diuers waies to the sea, be so dirupt, lacerat, and broken. And also the common passages of ships, balengers & boates, in the riuers, streams, & other floods within the limits of A. B. or C. in the countie or counties of L. M. or in the borders or confines of the same, by meane of setting vp, erecting & making of streames, milnes, bridges, ponds, fishgarthes, mildams, lockes, hebbing, weares, hecks, and fludgates, or other like lettes, impediments or annoyances be letted and interrupted, so that great and inestimable damage for default of reparation of y^e said wals, ditches, trēches, sewers, gotes, gutters, calceys, bridges, and streames, and also by meane of setting vp, erecting, making, and enlarging of the sayd fishgarths, mildams, lockes, hebbing weares, heckes, fludgates, & other like annoyances in times past hath happened, & yet is to be feared that farre greater hurt, losse and damage is like to ensue, vntles that speedie remedie be prouided in that behalfe: We therefore, for that by reason of our dignitie & prerogatiue royall, we be bound to prouide for the safetie and preseruati- on of our Realme of England, willing that speedie remedie be had in the premisses, haue assigned you, and bi. of you, of the which we will that A. B. & C. shalbe iiii. to be our Iustices, to suruey the sayd walles, streames, ditches, bankes, gutters, sewers, gotes, calceys, bridges, trenches, milnes, mildams, fludgates, ponds, lockes, hebbing weares, and other impediments, lettes and annoyances aforesayd, and y^e same cause to be made, corrected, repayred, amēded, put downe or reformed, as cause shall require, after your wisdomes and discretions, & there- in aswell to ordeyne and do after the forme, tenor, and effect of all and singular the statutes and ordinances made touching the premisses, or any of them, as also to enquire by the othes of the honest and lawfull men of the sayd shire or shires, place or places, where such defaultes or annoyances be, as well within the liberties as without (by whome the trueth may the rather be knownen) through whose defaults y^e sayd hurts and damages hath happened, & who hath, or holdeth any landes or tenements, or common of pasture, or profit of fishing, or hath or mayhaue any hurt, losse, or disauantage by any maner of meanes in the sayd places, as well neere to the sayd daungers, lettes and impe- diments, as inhabiting or dwelling thereabout, by the sayde walles, ditches, bankes, gutters, gotes, sewers, trenches, and other the sayd impediments and annoyaunces. And all those persons and euery of them,

Reforming of
annoyances.

Inquire by
whose default
the damages
chaunce.

Assessing of &
inhabitants.

Taking away
& impediments

Officers for
repairs of an-
noyances.

Taking of
workmen and
things neces-
sary.

Ordinances
constituted.

them, to take, assess, charge, distraine, & punish as well within & without
limits, and bounds of old time accustomed, or otherwise, as elsewhere
within our realm of England, after & quantitie of their lands, tenc-
ments, & rents, by the number of acres & perches, after & rate of eue-
ry persons portion, tenure or profit, or after the quantitie of their com-
mon of pasture, or profit of fishing, or other commodities there, by such
wayes and meanes, and in such maner & forme, as to you or vi. of you,
whereof the sayd A. B. & C. to be iii. shal seeme most conuenient to be
ordained & done, for redresse & reformation to be had in the premisses.
And also to reforme, repayre & amend the sayd walles, ditches, banks,
gutters, sewers, gotes, calceys, bridges, streames, & other & premisses
in all places needfull, and the same as often, and where need shalbe to
make new. And to cleanse and purge the trenches, sewers, and ditches,
in all places necessarie. And further to reforme, amend, prostrate, and
ouerthrow all such milles, streames, poudes, lockes, fishgarthes, heb-
bing weares, and other impediments and annoyances aforesayd, as
shalbe found by inquisition, or by your surueying and discretions to be
excessiue or hurtful. And also to depute and assigne diligent, faythful,
and true keepers, baylives, surueyors, collectors, expeditors, & other
ministers and officers, for the safetie, conseruation, reparation, & ma-
king of the premisses, and euery of them, and to heare the accompt of
the collectors and other ministers, of and for the receypt & laying out
of the money, that shalbe leuyed and payd in and about the making, re-
payring, reforming, and amending of the sayd wals, ditches, bankes,
gutters, gotes, sewers, calceys, bridges, streames, trenches, mils, poudes,
lockes, fishgarthes, fludgates, and other impediments and annoyances
aforesayd. And to distrayne for the arrerages of euery such collection,
taxe, or assesse, as often as shalbe expedient, or other wyse to punish the
debtors & detayners of the same, by fines, amercliements, paynes, or
other like meanes, after your good discretions, & also to arrest, & take
as many carts, horses, oxen, beasts, & other instruments necessary, &
as many workmen & laborers, as for & sayd works & reparation shall
suffice, paying for the same competent wages, salary, & stipend in that
behalf. And also to take such, & as many trees, woods, underwoods,
& timber, & other necessaries, as for the same workes and reparations
shalbe sufficient at a reasonable price, by you, or vi. of you (of & which
we will that A. B. & C. shalbe iii.) to be assessed or limited, as well within
the limits & bounds aforesaid, as in any other place within the said coun-
tie or countie, neere vnto & sayd places: And to make & ordayne sta-
tutes, ordinances, & prouisions, from time to time, as & case shal require,
for the sauergarde, conseruation, redresse, correction, & reformation of
the

the premisses, and of euery of them, & the parties lying to y^e same necessary & behoouefull, after the lawes & customes of Romney Marsh in y^e countie of Kent, or otherwise by any wayes or meanes after your owne wisdomes and discretions. And to heare and determine all and singular the premisses, as well at our suit, as at the suit of any other whatsoeuer complayning before you, or vi. of you, whereof A. B. & C. shalbe iii. after the lawes and customes aforesayd, or otherwise by any other wayes and meanes after your discretions. And also to make & direct al writs, precepts, warrants, or other commandements by vertue of these presents to all Sherifes, baylifes, and all other ministers, officers and other persons, as well within liberties as without, before you or vi. of you, whereof y^e sayd A. B. & C. to be iii. at certayne dayes, termes, and places to be prefixed to be returned and receyued, and further to continue the proces of the same. And finally to do all & euery thing and things as shalbe requisite for the due execution of y^e premisses, by all wayes and meanes after your discretions. And therefore we command you, that at certayne dayes and places when & where you, or vi. of you, (whereof the sayd A. B. & C. to be iii.) shall thinke expedient, you do suruey the sayd walles, fences, ditches, bankes, gutters, gotes, sewers, calceys, ponds, bridges, riuers, streames, watercourses, milles, lockes, trenches, fishgarthes, fludgates, and other the lets, impediments, and annoyances aforesayd, & accomplish, fulfil, heare, and determine al and singular the premisses in due forme, and to the effect aforesayd, after your good discretions. And all such as pee shall finde negligent, gaine saying, or rebelling in the sayde workes, reparations, or reformation of the premisses, or negligent in the due execution of this our commission, that ye do compell them by distresse, fines, and amerciements, or by other punishments, wayes, or meanes, which to you, or vi. of you (whereof the sayd A. B. & C. shalbe iii.) shall seme most expedient, for the speedie remedie, redresse, and reformation of the premisses, and due execution of the same. And all such thinges as by you shalbe made and ordeyned in this behalfe, as well within liberties as without, that you doe cause the same firmly to be obserued, doing therein, as to our Iustices appertayneth, after the lawes and Statutes of this our Realme, and according to your wisdomes and discretions: Saued alwayes to vs such fines and amerciements, as to vs thereof shall belong. And we also command our Sherife or Sherifes of our sayd countie or counties of L. N. that they shall cause to come before you, or vi. of you, (of the which A. B. and C. shall be iii.) at such dayes and places, as ye shall appoynt them, such and as many honest men, of his or their Baliwike, as well within the lyberties as without

Heare & determine
mine offences.

Directing of
writs and
precepts.

All officers shal
be attendaunt to
the commissio-
ners of sewers

without, by whome the troth may best bee knownen, to enquire of the premisses, commaunding also all other ministers and officers, as well within liberties as without, that they and euery of them shalbe attendaunt to you, in and about the due execution of this our commission. In witness &c.

The Commissi-
oners duetie.

3 Every such person as shalbe named Commissioner in the said commission, after he hath knowledge thereof, shall effectually put his attendance about the execution of the sayd commission, and before he shall take vpon him the execution thereof, he shall take a corporal othe before the Lord Chancelloꝝ, or before such to whom the Lord Chauncelloꝝ shall direct the D. writ of Dedimus potestatem to take y^e same, or before the J. of peace in the quarter Sessions, holden in the shyre where such commission shalbe directed. The tenoꝝ of which othe hereafter ensueth. 23. H. 8. 5.

The commis-
sioners Othe.

4 We shal sweare, that you to your cunning, wit and power, shal truely and indifferently execute the authoritie to you giuen by this Commission of Sewers, without any fauour, affection, corruption, dread, or malice to bee borne to any maner person or persons. And as the case shal require, ye shal consent and endeouour your selfe for your part to the best of your knowledge and power, to the making of such wholesome, iust, equall, and indifferent lawes and ordinances, as shal be made and deuised by the most discrete and indifferent number of your fellowes being in commission with you, for the due redresse, reformation, and amendement of all and euery such thinges as are contained and specified in the said Commission. And the same lawes and ordinances to your cunning, wit, and power, cause to be put in due execution, without fauour, meed, dread, malice, or affection, as God you helpe, &c. 23. H. 8. 5.

The Commissi-
oners autho-
ritie.

5 The commissioners named in any of the sayd commissions according to the purport and effect of the same commissions, haue authoritie to make & ordeyne lawes, ordinances, & decrees, & further to do al and euery thing mencioned in the sayd commission, according to the purport, effect, wordes, & true meaning of the same. And the same lawes and ordinances so made, to refoyme, repeale, and amēd, & make new, from time to time, as the cases necessary shall require in that behalfe. 23. H. 8. 5. And all such lawes, ordinances, & constitutions, as be or shalbe duely made by force of any such commission, according to the tenoꝝ and effect limited in any stat. made, (before 2. Apr. An. Do. 1571.) touching Commission of Sewers, & being written in parchment indented, and vnder the seales of the sayd Commissioners or vi. of them (wherof the one part shal remayne with y^e Clerke appoynted for

How long the
Commissioners
decrees shal
continue.

for the Commission of Sewers for the time being, and y^e other in such place as the same Commissioners or vi. of them shall appoynt) shall without any certificate thereof to be made into the Chancerie, & without the royall assent to the same had, continue in full force and effect, notwithstanding any determination of any such commission by Superseas, untill such time as the same lawes &c. shalbe altered or repealed by the commissioners after to be assigned for sewers in those partes where the same lawes &c. were made, or by vi. of them. 13. Cl. 9.

6 ¶ The foresayd act, and all Commissions of sewers to be directed according to the tenor of the same, shall extend and giue authoritie that the Commissioners therein named for the countie of Glamorgan or vi. of them (whereof iii. to be of the Quorum) shall haue full authoritie fro time to time to make such lawes, prouisions, & decrees within the sayd countie of Glamorgan, for the redressse & sauing y^e groundes there from hurt or destruction, by reason of sand rising out of the sea, & driuen to land by stormes and windes, as they may do by the sayd former act and commission, for the auoyding of the outragious course of the Sea, and other waters. 1. P. Parl. 2. 11.

Commissioners
for the countie
of Glamorgan

7 ¶ If any person being taxed to any lot or charge, for any lands, tenements, or hereditaments, within the limits of any commission, do not pay y^e same, according to y^e ordinance of y^e commissioners, hauing power of the execution of y^e sayd commission, by reason wherof it shal happen the sayd commissioners for lacke of payment of such lot and charge, to decree, and ordaine the same lands &c. from the owner thereof and his heires to any person or persons for terme of yeres, terme of life, in fee simple, or in taylor, for payment of y^e same lot & charge: The euery such decree & ordinance so by them made, ingrossed in parchmēt & sealed, shal binde euery person, that at y^e making of the same decree, had any interest, in such landes &c. in vse, possession, reuerlion, or remainder their heires and feoffees, and euery of them. 23. H. 8. 5.

The Commis-
sioners decree
shal binde other
mens land.

8 ¶ The same lawes, ordinances, & decrees made by y^e sayd commissioners or vi. of them by authoritie of the sayde commission, shall binde as well the lands, tenements, and hereditaments of the Q. as al other persons and their heires, and such their interest as they shall or may haue in any lands &c. or other casuall comodities whatsoever, whereunto the said lawes &c. shal in any wise extend, according to the true intent of the same lawes. 23. H. 8. 5. And al scots & lots, summes of money to be rated and taxed by vertue of such commission of Sewers, vpon any of the Q. lands &c. for any thing concerning the articles of the sayd commission, shalbe gathered and leuied by distress or otherwise, in lyke maner as shal or may be done in the landes of any other person,

The Commis-
sioners decree
shal binde the
Q. & all other
persons lands.

person. And all bills of acquitaunce signed with the hand of such collector or receyuer, as shall haue the collection thereof, by the appoyntment of the sayd commissioners or vi. of them, shall be as well a sufficient discharge to the tenants fermors, & occupiers of y^e same grounds, so to be charged for the said summe wherewith their ground shall be so charged, as also a sufficient warrant to euery receyuer, auditor, and other whatsoever officer of the D. & C. for the allowance to such tenant &c. for the same. 3. Ed. 6. 8.

Commissioners shall be dwelling within y^e same countie.

9 No person shall be compelled to be sworn or otherwise bound to sit or trauell in execution of any Commission of Sewers, vnles he be dwelling within the countie, wherof he shall be assigned to be Commissioner. 25. H. 8. 10.

Refusall to take the othe.

10 If any person assigned to be such Commissioners of Sewers being required by such as shall haue authoritie by the D. writ or otherwise, to receiue the othe aforesayd, doth refuse to take y^e same othe, or vpon that request made, doth not receyue the same, and that refusall or contempt be done in the Chauncerie, or returned into the Chauncerie with the sayd writ, he shall forfeit for the same contempt to the D. v. markes. And so to lose from time to time v. markes for euery such contempt, as shall be done or returned into the sayd Chauncery against any such person, vnlesse that he in the same Chauncerie doe shewe in the sayd terme wherin such returne shall be made, sufficient cause to be allowed by the Lorde Chaunceloz for his excuse in that behalfe. 25. H. 8. 10.

None shall sit, except he be sworn.

11 If any person doe take vpon him to sit by vertue of any of the sayd Commissions, not being before sworn, in forme as is aforesayd, and according to the tenor of the othe before specified: Or if any person so named and sworn do sit, not hauing landes & tenements or other hereditaments in fee simple, fee tayle, or for terme of lyfe, to the clere yerely value of xl. markes, aboue all charges, to his owne vse, (except he be resiant and free of any citie, borough, or towne corporat, and haue moueable substance of the clere value of one C. li. or else be learned in the lawes of this Realme, and admitted in one of the foure principall Innes of Court for an vtterbarrester) he shall forfeit xl. li. for euery time that he shall attempt so to do, to the D. & J. to be rec. by A. J. & C. wherein no W. & C. E. or P. & C. 23. H. 8. 5.

Of what learning or degree euery Commissioner ought to be.

12 No fermour for terme of yeres, of any lands, or tenements lying within the precincts of any such commission of sewers, which be or hereafter may be ordered and chargeable by any ordinances or constitutions made or to be made, by vertue of any such commission, wherein he shall bee appoynted Commissioner, (not hauing estate of freehold

A farmer of lands chargeable shall not be commissioner within y^e same precinct.

freehold within the Realme of England, in landes or tenementes of the yerely value of xl.li. shall haue power to sitte, or in any wise intermedle with the Execution of such Commission duryng the tyme hee shall continue Fermor of any such landes, and shall not haue Estate of Freeholde, as is aforesayde: But every such Commission as hauing respect only to euery such person for such, and so long time as he shall so continue fermour of any such landes, shalbe adiudged in lawe to be void, any thing in the said Commission, or any Stat. &c. notwithstanding. But it shall bee lawfull for any Commissioner being also a Fermor, and not hauing lands &c. to the clere yerely value of xl.li. of freeholde, to sit by vertue of the said Commission, and haue his voicc and full authoritie with others to make and establish Ordinances for Sewers according to the Tenour of the Commission, concerning all lands and tenements within the p̄cinct of euery such Commission, other then such lands &c. as he for the time being shall hold & enioy as fermor, as he might haue done befoze the making of this Stat. 13. El. 9.

13 ¶ If any Action of trespass, or other suite shalbe attempted against any person for taking of any distres, or any other act doing by authority of the saide Commission, or by authoritie of any Lawes or Ordinances made by vertue of the same, the defendaunt therein shall and may make auowry, Cognisance, or iustification for the taking of the same distres, or other act doing, touching any of the Premises, alleaging therein that the sayd distres, trespass, or other act, whereof the Plaintife complayneth, was done by authority of the Commission of Sewers, for lot or taxe assessed by the said cōmission, or for such other act or cause, as the said defendaunt did by authority of the sayde commission, and according to the tenour, purport, and effect of the act made 23. H. 8. without any reherfall of any other matter contayned in the said act, or any Commission, statutes, or ordinances thereupon made, whereupon the plaintife shalbe admitted to replie, that the def. did take the said distres, or did any other act, or trespass supposed in his declaration of his owne wrong, without any such cause alleadged by the said def. whereupon the issue in euery such Action shalbe ioyned, to be tried by verdict of xii. men, and not otherwise, as is accustomed in other personal actions. And vpon the trial of the issue, the whole matter shalbe giuen on both parties in euidence, according to the trueth of the same. And after such issue tried for the defendaunt, or non suite of the plaintife after apparance, the same def. shal recouer treble damages by reason of his wrongful vexation in that behalfe, with his costs also in that part sustained, and that to be assessed by the same Iurie, or writ to enquire of damages, as the case shal require, 23. H. 8. 5.

auowry or iustification for a distres take by reason of the commission of Sewers.

Damages for the defendant.

The Commis-
sioners and
Clerks wages

14 ¶ Every of the said Commissioners, shall haue liii.s. for every day that they shall take payne in the execution of his commission of Sewers. And one Clerke by them assigned ii.s. for every day, of the rates, taxes, lotts, and waiues that shalbe assessed or lost, by aucthoritie of the said commission, and to be leuied and payed by their discretions. And the said Commissioners or vi. of them, shall haue aucthoritie to assigne of the same rates &c. such reasonable summes of money to the said Clerke for wryting of bookes, & proces concerning the premisses, and to the Collectors, Expenditors, and such other as shall take paine in the due execution of the said commission, as by the said Commissioners or vi. of them shalbe thought reasonable. 23. H. 8. 5.

No certificate
the comission
of Sewers.

15 ¶ The saide Commissioners shall not be compelled to make any certificat or retorne of any of the said Commissions, or of any their ordinances, lawes, or doings, by the aucthoritie of any the sayde Commissions. Nor shall haue any fine, paine, or amerciament, set vpon any of them, or any wayes be molested for that cause. But the Clerke appointed for any such Commission shall peereley truely extreat al the issues, fines, penalties, forfeitures and amerciaments, that shalbe answerable to the Queene &c. And the same extreats shall yerely deliuer into the Eschequer, at such time, and in such maner, as Iustices of the peace ought to doe, by vertue of their commission, vpon paine to forfe. to the Queene &c. for every default v. li. 13. El. 9.

How long the
commission
shall continue.

16 ¶ Every Commission of Sewers shall continue in force ten yeeres, next ensuing the date thereof, vntil the same shalbe repealed or determined by reason of any newe Commission in that behalfe made, or by Superfédias, (for the Queene shall at her pleasure by her writ of Superfédias out of her Chauncery at any time discharge as well euery such commission, as euery Commissioner &c. 23. H. 8. 5.) And at all times after the ende of ten yerres next ensuing the date or Teste of any commission of Sewers, all such lawes, ordinances, and constitutions, as were made by vertue of any such comission, & wrytten in Parchement, indented and sealed (without certificat thereof, or the assent Roial to the same had, as is aforesaid) shall notwithstanding the determination of any such commission, by the expiration of y^e terme of ten yeeres, likewise continue in force by the space of one whole yeere then next ensuing. And the Iustices of peace of y^e shire & shires where the same lawes, ordinances, and constitutions, are to be executed within their seuerall Commissions and limits, or vi. of them (whereof ii. to be of the Quorum) shal haue aucthoritie by y^e space of one whole yeere next after the expiration of euery such comission to execute the same lawes, ordinances, & constitutions, and euery of them, in as ample manner

Iustices of p.
in some case
shall execute
the comission
of Sewers.

ner as the Commissioners appointed in any commission so expired, might or should haue done, to all intents as if the saide commission had continued in force. But if any newe commission of Sewers shalbe made within y^e said yere, then immediatly from & after such commission newly made & published, y^e power of the said Iustices of the peace, and euery of them in any wise concerning the execution of any such lawes, ordinances, and constitutions of Sewers shall utterly cease. 13. El. 9.

17 ¶ As often as such Commission shalbe directed to any persons for the reformation of, or in any of the premisses specified in the sayde commission, within the fees, liberties, or possession of the Duchy of Lancaster: Then such commissioners as shall execute the same, shall be appoynted by the Lord Chancellor, & Lord Treasurer of England and the said ii. chiefe Iustices of either bench, and the Chauncelor of the said Duchy for the time being, or thre of them, whereof the sayde Lord Chauncelor, and the Chauncelor of the said Duchy to be two. And in euery such case two commissions shalbe awarded, according to the tenour of the commission aboue expressed, one thereof vnder the great seale of England, and the other vnder the seale of the same Duchie. And as often as such commission shall be directed to any persons for the amendement of, or in any of the premisses specified in the sayde commission, within the fees, liberties, and possessions of the principalltie of Wales, the countie palantine of Chester, or within the fees, liberties, and possessions of any other place, where there is libertie and iurisdiction of countie palantine: In euery such case ii. commissions shalbe awarded, according to the tenour of the commission aboue expressed, one thereof vnder the great seale of England, and the other vnder the vsuall seale of the countie palantine, in maner and forme, as is aboue provided for the Duchy of Lancaster. 23. H. 8. 5.

Commissions
within the
Duchy of
Lancaster.

18 ¶ The Chauncelor, and such other as shall haue the custodie of the seales of the said principalltie of Wales, or the countie palantine of Chester, or within the fees, liberties, and possessions of any other place, where there is libertie and iurisdiction of countie palantine, vpon reasonable request, and vpon the sight of the commission vnder the great seale, shal without delay make out another commission vnder the seale of the said countie palantine, according to the tenour of the Queenes Commission to them shewed vnder her great seale, & those Commissioners as shalbe named by the Lord Chauncelor, Lord Treasurer, & the ii. chiefe Iustices, or by thre of them &c. (except it be within the fees and liberties of the Duchy of Lancaster) wherein the commissioners shalbe named, and commissions made, as is before ordeined. 23. H. 8. 5.

Commissions
in Wales and
Counties pa-
lantine.

The fees for
commissions.

19 ¶ The sayd Commission from time to time, as the case shall require, shall be obtained without any money or other charge to be payed for the seales or writing of the same, vnles it be to the Queene ii.s.vi.d. for the seale of euery commission, and for the writing & inrol-ling of any one commission v.s. and not aboue. 23. W. 8. 5. And such & like fees, and none other, nor more shalbe at any time payed or demanded for any commissions, & writs of Dedimus potestatem, to be sued out vnder the seale of the Duchy, as be mencioned in the said former act, to be paid in the Chauncerie for Commissions & writs of Dedimus potestatem, to be obtained from thence &c. 3. Ed. 6. 8.

¶ Sheepe.

Transporting
of Sheepe.

N^O person shall bring, deliuer, send, receiue, or take, or procure to be brought, deliuered, sent, or receiued into any ship or bottome, any Rammes, sheepe, or Lambes, or any other kinde of sheepe being aliue, to be conueyed out of any the Queenes dominions, vpon payne that euery such person, his aydoers, abettors, procurers, and coforters, shall for his first offence forfeit to the Q. & J. all his goods for euer, to be recouered &c. wherein no W. &c. E. P. &c. And further euery such of- fendor shall suffer imprisonment one whole yere wout baile or main- prise, and at the yeres end, shall in some open market towne in the ful- ncs of the market, on the market day haue his left hand cut off, and that to be nayled vp in the openest place of such market. 8. El. 3.

The second of-
fence felony.

2 ¶ And euery person estones offending against this statute, shall be adiudged a felon, and shall suffer death as in cases of felony. But this act shall not extend to any corruption of blood, or be preiudicial to any woman claiming dower, by or from any such offendor. 8. El. 3.

No person
shall keepe
aboue 2000.
sheepe.

3 ¶ No person shall keepe, occupie, or haue in his possession, in his owne proper lands, nor in the grounds of any other, which he shall haue or occupie in ferme, nor otherwise haue of his owne proper cattel in vse, possession, or propertie by any maner of meanes, or couin, aboue the number of two thousand sheepe at one time, within any part of this Realme, of all sortes and kindes, (alwaies accompting vi. score to the C. and x. such hundreds to the thousand) vpon paine to forfeit for euery sheepe that any person shall haue or keepe aboue the number li- mitted by this act iii.s.iiii.d. to the Queene and J. &c. to be rec. by A. &c. wherein no W. E. P. &c. But Lambes vnder the age of one whole yeere, and asmuch as shalbe from the time of the falling of them, vnto the feast of y^e Natiuitie of S. Iohn Baptist, shal not be taken for sheepe prohibited by this statute, 25. W. 8. 13.

Lambes.

Sheepe.

315

4 ¶ If any person hauing sheepe of his owne, happen to be made executor, or to be administrator to any person which had sheepe at his death, or happen to be married to any person which shall haue sheepe at the time of the marriage, by reason whereof the sayd person shall by such meanes haue aboue the said number of ii. thousand, then he shal lose no penaltie for hauing aboue y number of ii. thousand sheepe by such meanes, so that within one yere next after such aduancement, he do put to sale, or otherwise dispose so many of the sayd sheepe so to him aduanced, or els of his owne sheepe that he had before, so that aboue one yere he shall not keepe, haue or occupy by any such meanes, or otherwise by any fraud, any moze number of them, then is before limited, vpon paine before rehearsed. 25. H. 8. 13.

Sheepe coming by executorship or marriage.

5 ¶ If any person by his last wil giue to any child within age, any number of sheepe, and appoynt them by his said last wil to be kept by his executors, or by any other person, vntill the foresayd childe shall come to a certaine age limited by his wil: then after the death of the testator, the sayd sheepe so being in the possession of the executors, or of any other person to the vse of any such childe within age, for the time that he shalbe limited to haue the saide sheepe by the wil of the testator, shal not be accompted against the said executors, nor any person so hauing the sheepe, for the intent aforesayd, any of the number of the said sheepe prohibited by this act. 25. H. 8. 13.

Sheepe giuen by wil to a childe within age.

6 ¶ Every person being the Queenes temporall subiect, & borne vnder her obeisance, which shall haue or be seised of inheritance, in possession, or in vse, or that shall haue ioynter in vse or in possession, or shalbe tenant in dower, or by the curtesie, of, or in any manors, landes, tenements, pastures, feedings, or libertie of foldage, within any part of this Realme of England, Wales, or the marches of the same, may haue, keepe, and maintaine vpon the same, his owne demesne landes, and all other his pastures, feedings, and fold courses, which he so hath, as many his owne sheepe & lambes, in number to his proper behoofe, as he lawfully might haue had and kept vpon the same at any time before the making of this act. 25. H. 8. 13.

Each person may keepe vpon his inheritance &c. as many sheepe as he will.

7 ¶ In case any such person hauing any such estate in vse, or in possession, of, or in any landes, tenements, pastures, feedings, or liberties of folde courses, do keepe vpon the same the number of 2000. sheepe or aboue, then he shall not in any wise keepe or haue any sheepe aboue the sayde number of two thousand vpon any landes, pastures, or feedings, which he shall haue in farme, or otherwise, vpon paine of forf. for euery sheepe beside the sayde number of 2000. iii. s. iiii. d. 25. H. 8. 13.

He that keepeth 2000. sheepe vpon his inheritance, shall not keepe any vpon serua.

2000. kept bys
on demesnes, &
fermes.

8 ¶ In case the sayd demesne landes, tenements, pastures, feedings, and liberties of folde courses, of any person before rehearsed, suffice not for the feeding, pasturing, and keeping of 2000 sheepe, then any such person may haue or feede vpon his said demesne landes, and vpon his farme holdes (which he lawfully may haue) to the sayde number of 2000. sheepe, and not aboue, vpon-paine of forf. for euery sheepe aboue that number iii.s.iiii.d. 25. H. 8. 13.

Sheepe for the
maintenance
of house, aboue
2000.

9 ¶ It shall be lawfull to euery person keeping a housholde, to haue from time to time such conuenient number of sheepe, aboue the number expressed in this act, as shalbe necessary for the onely expences of his houshold, to be prouided, kept and fedde, in and vpon his owne landes, or other landes such as he lawfully can prouide for, in farme, or otherwise, so that he at no time shall haue for the expences of his houshold, or by colour of the same, aboue the number to him limited by this act, any number of sheepe moe then shall suffice for the onely expences of his houshold for one yeere without fraude or couin. 25. H. 8. 13.

Spiritual
persons.

10 ¶ It is lawfull for all spirituall persons to keepe such, and as many sheepe vpon their owne landes, and after such maner, and none otherwise, as they might haue done before the making of this act. 25. H. 8. 13.

Folde courses
in Norff. and
Suff.

11 ¶ No Lord, owner, or fermor, of any libertie of folde courses, within any towne, tything, village, or hamlet, within any of the counties of Norffolke and Suffolke, shall take in ferme for terme of yeeres, or otherwise, any quillet of land or pasture, that is to say, any number of acres of land or pasture, appertaining to any other person or persons, lying within the limit, extent or precinct of the sayd libertie of the said folde course, but he shall suffer the sayd person being for the time owner, or lessee of the sayd quillet, to manure and pasture the same, and also suffer the sheepe of the said owner or fermor of the sayd quillet, after the rate of the same quillet, to goe with the flocke of the owner, fermor, or occupier of the said libertie, paying the customarie charges for the keeping and feeding of the same, after the rate and vse of the countrey there commonly vsed, without any interruption therein to be made by the sayd owner, fermor, or occupier of the sayd libertie, vpon paine of forf. for euery time that any such person hauing any such quillet that shalbe disturbed of keeping or pasturing any of his sheepe so to be fedde and kept after the rate of his quillet for euery such sheepe iii.s.iiii.d. But this branch concerning quilletts shall not be auailable to any owner or occupier of any such quillet, to claime or vse any such pasture or feeding of sheepe in any such folde courses, but onely

onely where the tenants, owners, and occupiers of any such quilletts, haue, had, or mought haue had heretofore, and of duetie vsed to haue feeding in the said fold courses, by reason of their occupations of the same quilletts and none other wise. And where they haue not vsed ne ought to haue any sheepe kept within any such fold courses, by reason of the said tenures, the owners, or occupiers of such fold courses may take such quilletts lying within their fold courses in ferme, agreeing with the owners, or occupiers of the said quilletts for the same. 25. H. 8. 13.

12 ¶ No person shalbe put to any answer, or losse of any forfaiture, by vertue of this act at the suit of any the Queenes subiects, by accion, bill, plaint, information &c. except the suit be commenced within one yeere next after the offence committed, nor by reason of any presentment, accion, or information at the Queenes suit, except the same be made for the Queene within thre yeeres next after the offence committed. 25. H. 8. 13.

Within what time the suit shall be commenced.

1 In what sort, at what time, and howe many sheepe any Purueyours for the Queenes house, may take at one time. S. Purueyours, 9.

¶ Shippes, Shipping.

It is lawfull to euery of the Queenes subiects at his pleasure to carry and transport out of this realme, in the shippes or other vessels of any of the subiects aforesaid being with crosse sayles, all and euery kindes of Herring, and other Sea fish to be taken vpon the seas, by any of the sayd subiects. And euery person which shall by vertue of this Act, transport any herring or other sea fish from any port or harborough of this Realme, to any place out of the Q. dominions, shalbe free from payment of any Subsidie, Custome, or Bondage money for the same fish so transported, during the space of sixe yeeres, from the ende of the Session of the Parliament begunne and holden 2. Aprilis. Anno. 13. Eliz. and from thence to the end of the next Parliament after the said sixe yeeres to be summoned, and from thence during the Queenes pleasure. Anno 5. El. 5. 13. El. 11. But neither the Maior, Burgesles, nor inhabitants of Kingston vpon Hull shal take advantage of this statute, for carping herrings or salted fish to any Ports beyond the sea. 5. El. 5. 27. El. 11.

Transporting of fish taken in English mens ships.

2 ¶ It is not lawfull to any person in any place within this realme to set price, make any restraint, or take or demaunde tolle, or taxe of any sea fishe brought into this Realme, being taken by any of the Queenes subiects, in the shippes or other vessels of the same subiects,

No price shall be set, or toll taken of fish taken in English mens ships.

upon paine to every person offending contrary to the meaning hereof, to forfeit the value of the fish so restrained, prised, tolled, or taxed, any libertie, custome, graunt, priuiledge &c. notwithstanding. But this act shall not be prejudiciall to the Mayor, Burgeses &c. or any other Officer of Kingston upon Hull, but every of them may take all such toll, customes, and summes of money of every such person as is limited in an act made, 33. H. 8. 33. 5. El. 5. 27. El. 11.

Conueying in
strangers
ships from
one port to
another.

3 ¶ It shall not be lawfull to any person to cause to be laden and carried in any bottome, whereof any stranger or strangers bozne then be owners, shipmasters, or part owners, any things of what kinde or nature soeuer they be, from one Port or Creeke of this Realme, to another of the same Realme, upon payne to forfeit all the goods so laden or caried, or the value thereof. 5. El. 5. 27. El. 11.

No French
wine or thos
lose woad shal
be brought in
strangers
ships.

4 ¶ No person shall bring into this Realme of England, or any part of the same, any wine comming out of any of the Countreyes belonging to the Crowne of France, or any woad called Tholose woad, in any other vessell, but onely in such, whereof some subiect of the Queenes &c. shalbe then onely owner, or part owner, upon paine to forfeit al Wines and woad brought contrary to the meaning hereof (according to the meaning of a Statute made 4. H. 7. 10. concerning Wine of the Duchie of Gascoigne and Guyon.) except that there may be brought into Wales, or any part within the Countie of Monmouth, Rochel wines. 5. El. 5. 27. El. 11.

Wine brought
in strangers
ships.

5 ¶ But it shall be lawfull for any person or persons being strangers bozne, to bring yerely in any ship or vessell, whereof any stranger or strangers bozne shalbe owner &c. into any of the Hauens, Portes, or Townes of the Isle of Man, any Wines made in any of the dominions belonging to the Crowne of Fraunce, and in any of the same Portes or townes, to discharge the said wine so brought, so that there be not brought & discharged by the same strangers, in any such strangers vessels in any one yere, in, or at the said Hauens, Portes, and Townes, or any of them, aboue C. tunnes at the most. In like maner, and upon the same condition may strangers bozne, bring in strangers ships, any wines made in the dominions of Fraunce, into the hauens, ports, and Townes of Chepstow, and Newport, in the Countie of Monmouth, & of Cardife, Carnarvon, Beaumaries, and other ports, hauens, and towns of Southwales and Northwales, or any of them, ouer and beside all Rochell wines heretofore allowed in this act, to be brought &c. Saving to the Queene her heires &c. all such dueties as she ought to haue for the said wines &c. 5. El. 5. 27. El. 11, to continue to the end of the next Parliament, now next ensuing.

6 No person vsing any Shippe, boate, or vessell called Catche, Honger, or Picarde, or other vessell of like vse, shall in the time of ^{Ankering by the sea in fishing time.} common fishing vpon the Sea coastes of Norfolke, and Suffolke, betweene the xiiii. day of September, and the xiiii. day of Nouember, from Sunne setting to Sunne rising, anker vpon the mayne Sea, or in the common streame or trade of fishing, where the fischer men vse to driue, vpon paine to forsaite their Catch, Honger, Picard &c. with the tackell and all the fish in the same or the value thereof, the one halfe to the Queene her heires &c. the other halfe to the Bailife, Burgeses, and comminaltie of great Parmouth, to bee imploied to the recompensing of dammages to the partie, whose Nettes shall be cut, and to the building and repairing of the decaied Hauen there, and to bee taken by way of seisure, or otherwise to bee recouered by A. J. &c. 13. El. 11.

1 That a Denizen which shippeth any goods in a Caricke or Galley, shall pay all Customes, and Subsidies as an Alien, S. Customes. 2.

2 That a ship shalbe forfeited wherein is transported any Fugitive, Gold or Siluer, without the Queenes licence. S. Fugitiues. 1.

3 Where, in what case, and in what maner it shalbee lawfull for the owner of a Ship or a Shipwright to take an Apprentise. S. Laborers. 30.

4 At what time and place the Master of Ship shall receiue and discharge his loading. S. Marchants. 5. 6.

5 That a Master of a Ship shall giue notice to a Customer of his loading, time of departing &c. S. Marchants. 7. 8.

6 That the Master of Ship shall not permit any brasse, Mettal &c, to be transported but shall disclose the same. S. Brasse. 3.

7 That a shippe shalbe forfeited wherein is transported Corne, Beere, Butter, Cheese, Herring, or wood, without lycence. See Corne 1:

8 In what case a ship shal bee forfeited, whercin is transported any Leather, Tallow, or raw hides. S. Leather. 39.

Sherifes.

N^O man shalbe shirife in any Countie, except he haue land suffici- ^{all shirife must haue sufficient land.} ent in the same Countie, to answere the Queene and her people, 9. Ed. 2. 2. Ed. 3. 5. 4. E. 3. 8. 5. Ed. 3. 5.

2 No Stewarde or Bailife of any great Lorde, shall bee made Sherife, except he be put forth of seruiice, but such a shirife shalbe ap- ^{Such shalbe shirifs as may attend.} pointed

pointed which may wholly attende to serue the Queene & her people.
Lincoln. 9. Ed. 2.

The Sheriff shall
continue within
his Countie.
None shall be
Sheriff or Under
Sheriff above
one yere.

3 Every Sheriff within England shall dwell in his proper person
within his bailiwick, for the time that he shall be officer. 4. H. 4. 5.

4 No Sheriff, Under Sheriff, or Sheriffs Clerke, shall remaine
in his bailiwick or office above one yere, and after that yere, an other
fit and sufficient person shall be ordained in his place. 14. Ed. 3. 7. 42.
Ed. 3. 9. And none that hath bene Sheriff of any Countie one whole
yere, shall be appointed Sheriff of that Countie by the space of three
yeres next ensuing, if there bee any other sufficient of landes & goods
in the same Countie to answer to the Queene and her people 1. R. 2.
11. (The Under Sheriff, and all other Officers within the Citie of
London, the Under Sheriff, and all other officers of Sheriffs with-
in the Shire of the Towne of Bristowe. 6. H. 8. 18. and such Coun-
ties in which any persons at the tyme of the foresayd statute made, viz.
25. February Anno Dom. 1444. were inheritable to the office of She-
riff, and the letters patentes made to them of the office of Sheriff,
Under Sheriff, and Sheriffs, Clerkes onely except. 23. H. 6. 8.) And
if any Sheriff, Under Sheriff, or Sheriffs Clerke, doe occupie the of-
fice of Sheriff, Under Sheriff, or Sheriffs clerke, contrary to the foresaid
Statutes, or contrary to the effect or intent of any of them (except
before excepted) then hee shall forfeite C. pounde yeerely, as long
as he doth so occupie. And euery pardon made for such offence, occu-
pation, or forfeiture of the summes before recited, shall be voyde. And
all patents to be made of any of the sayde offices, for terme of yeres,
for terme of life, in fee simple, or in fee taile, to any of y^e Queens liege
people, (except before excepted) shall be voyde notwithstanding any
clause or sentence of Non obstante put in such patentes. And who-
soever doth take vpon him to receiue, or occupie the saide office of She-
riff, by vertue of any such graunts or patents for terme of yeres, for
terme of life, in fee simple, or fee taile, shall be for euer disabled to be
or beare the office of Sheriff in any Countie of Englande. And euery
of the Queenes liege people which will, may sue for the saide summe
forfaited against him which doth forfeit. the same, in an action of debt in
his owne name, & the Queene shall haue the moiety of all that which
is recovered, and hee that sueth the other. 23. H. 6. 8. But euery olde
Sheriff of euery Countie, hath full authoritie aswell lawfully to exe-
cute & returne euery writ, precept, or warrant in euery of y^e Queenes
courtes of recoorde at Westm. deliuered to him, as to doe & execute
euery other thing which to the office of Sheriff lawfully pertaineth
at all times during Michaelmas terme, and Pillary terme, vnlesse he
be

Patents of
Sheriffes.

Where a Sher-
riff may oc-
cupie above
one yere.

be before the same time lawfully discharged of his occupation of the
rife without sustaining any damage, forfeiture, or paine. 12. Ed. 4.
1. 17. Ed. 4. 6.

5 ¶ No Sherife shall let to ferme in any maner his County, nor
any of the Bailiwikes, hundreds, nor wapentakes. And the Shirife
(among other articles comprised in his othe) shall bee from time to
time sworne, that hee shall not let his Bailiwike to ferme. 4. H. 4. 5.
23. H. 6. 10.

The Sherife
shal not let his
countie nor
bailiwike to
ferme.

6 ¶ No Sherife, Undersherife, Bailife of franchise, nor any o-
ther Bailife, by occasion, or vnder colour of his office, shall take any
other thing by them selues, or by any other person to their vse, or pro-
fite, of any person by any of them arrested, or attached, nor of any o-
ther for them, for the omitting of any arrest, or attachement to bee
made by their bodies, or of any person, by any of them by force or ca-
lour of their Office arrested or attached, for fine, fee, mainprise, let-
ting to baile, or for shewing any ease or fauour to any such person so
arrested, for their rewarde or profite, but such as followeth, viz. the She-
rife twenty pence, the Bailife which maketh the arrest or attachmēt
foure pence, and the Gayler (if the prisoner be committed to his warde)
foure pence. 23. H. 6. 10.

The Sherife &
his bailifes
sees for ar-
rests.

7 ¶ The Sherife, vndersherife, sherifes Clerke, steward or bailife of
franchise, seruant to bailife or Coroner, shall not take by colour of his
Office, by himselve, nor by any other person to his vse, any thing of a-
ny person for the making of any retorne or panel. And for the copy of
a panel iiii. d. 23. H. 6. 10.

The Shirifes
duty for ma-
king a copy of
a panel.

8 ¶ The Sherifes, and all other Officers and ministers afore-
sayd, shall let out of prison, all maner of persons by any of them arre-
sted, or being in their ward by force of any writte, bill, or warrant, in a-
ny accion personal, or by reason of any indictment of Trespass, vpon
reasonable suertie of sufficient persons hauing sufficient within those
Counties where such persons be so let to baile or mainprise, to keepe
their daies, in such places where the said writs, bills, or warrantes do
require, (only except those persons which shalbe in their ward by con-
dempnation, execution, Capias vtlagatum, or Excommunicatū, suer-
tie of peace, & all such persons which shalbe committed to warde by
special commandement of any Justice, & vagabondes &c.) But if the
Sherifes retorne vpon any person Cepi corpus, or Reddidit se, they
shall be chargeable to haue the bodies of the sayd persons at the daies
of the Returnes of the sayde writtes, billes, or warrantes, in such
maner as they were chargeable before the making of this act, 23.
H. 6. 10.

Bailing of pri-
soners, for per-
sons arrested.

The Sherife res-
turning Cepi
corpus, vel Red-
didit se.

Obligation for
apparance.

9 **N**o Sherife, nor none of the Officers, or Ministers aforesaid, shall take or cause to be taken or made, any Obligation for any cause aforesaid, or colour of their office, but onely to themselves, of any person, nor by any person which shall be in their ward, by course of the lawe, but in the name of their Office, and upon condition written that the sayde Prisoners shall appere at the day contayned in the sayde writs, bill, or warrant, and in such places, as the said writs, billes, or warrants shall require. And if any of the said Shirifes, or other Officers aforesaid, take any obligation, in any other forme by colour of their offices, it shall be void. And hee shall take no more for the making of any such obligation, warrant, or precept by him to be made but iiii. d. 23. H. 6. 10.

The Sherife of
euery shire
shal make a
deputy in
euery Court.

10 **E**uery of the sayde Sherifes shall make perely a deputie of recoorde in the Queenes Courtes of Chauncery, Kinges Bench, common place, and in the Eschequer, before that they shall returne any writs, to receiue all maner of writs, and warrants to bee deliuered vnto them. 23. H. 6. 10. And euery Shirife of euery the xii. Counties in Wales, and of the Counties Palantine of Lancaster, Chester and the Citie of Chester, shall haue in the kinges Bench, and common place, one sufficient deputie at the least. 5. Ed. 6. 26, S. Exigent 7.

Forfeitures.

11 **A**ll Sherifes, Undershirifes, Clerkes, Baylifes, Baylozs, Coroners, Stewardes, Bailifes of fraunchises, or any other officers or ministers, which do contrary to this foresaide ordinaunce made 23. H. 6. 10. in any point of the same, shall loose to the partie in this behalfe indamaged or griued his treble damages, and shall forfeit xl. li. at euery time that any of them doe the contrary in any poynt of the same, whereof the Q. shall haue the one halfe to be imployed only to the vse of her house, and the party that will sue the other halfe. But the Warden of the Fleete, and of the Queenes palace at Westminister for the time being, shall not be preiudiced by this ordinaunce in his dutie of his office. 23. H. 6. 10.

Wardens of
fleete, & of the
palace at west
minster.

The order of
indictments
taken in shes
rifes turnes.

12 **S**hirifes in their turnes and otherwise, when they haue to inquire of malefactorz by the Queenes comandement or by vertue of their office, shall make such inquisitions of those offenders by twelue lawfull men at the least which shall put their seales to those Inquisitions (and the rolle of the inquisition shall bee indented, whereof one part shall remaine with the indictors, and the other with the Shirife or other which taketh the Enquest, so that the indictment, shall not bee imbeiled. 1. Ed. 3. 16.) And if the sherifes doe imprison any other then those which bee indicted by such inquisitions, they which so bee imprisoned

imprisoned shall haue their accion of false imprisonment against the shirife as they should haue against any other person which should imprison them without warraunt. And the foresaide ordinaunce provided for sherifes shalbe obserued of euery Bailife of libertie, *21. 2. 13. Ed. 1. 13.* But if any indictments or presentments shall bee taken befoze any sherifes of Counties, their Undersherifes, Clerkes, bailifes or ministers at their Turnes, or lawdaies, They nor none of them haue power to attache, arrest, or put in prison, or to leuie any fines or amerciaments of any person or persons, so indicted or presented by reason or colour of any such Indictment or presentment, nor to take of any such person so indicted or presented any fine or ransom, but they shall bring and deliuer all such indictmentes and presentmentes to the Iustices of peace at their next Sessions of y^e peace, that shalbe holden in the Countie where such indictmentes and presentmentes shall bee taken. And if any of the sayd Sherifes, vndersherifes, Clerkes, Bailifes, and their ministers do not bring, deliuer, and present al such indictments or presentmentes so taken befoze them in their turnes, or lawdaies, at such Sessions of the peace befoze the said Iustices of peace, Then they and euery of them that so shall faile therof, shall forf. to the *Q. xl. li.* at euey time that they or any of them doth contrary. *1. Ed. 4. 2.*

Indictments taken in y^e sherifes turnes shalbe deliuered to the Iustices of peace.

13 ¶ The said Iustices of peace haue authoroty to award proces vpon al such indictments & presentments, as the lawe doeth require, and in like forme, as if the same were taken befoze the sayde Iustices in the sayd county. And also to arraigne, and deliuer all such persons so indicted & presented befoze the sayde Sherifes, vndersherifes, their Clerkes, Bailifes, & ministers, or any of them, in their sayde turnes or law daies. And euery person which shalbee indicted or presented of trespass, shal make such a fine as shall seeme lawfull by the discretions of the same Iustices. *1. E. 4. 2.*

Iustices shal award proces against those which be indicted in the sherifes turne.

14 ¶ The estreates of the said fines & amerciaments shal bee inrolled, and by indenture deliuered to the saide sherifes, vndersherifes, their Clerkes, Bailifes, or ministers, or some of them, to the vse and profit of him that was sherife in the said countie, at the time of such indictments, or presentments taken. And if any of the sayd Sherifes, their vndersherifes, Clerkes, Bailifes, or ministers, doe arrest, attach, or put in prison, or cause any fine, or ransom to bee taken, or leuie any amerciament of any person so indicted, or presented, by reason of any such indictment, or presentment, taken befoze them at their turnes or lawdaies, befoze that they haue proces from the said Iustices of peace, or estreates deliuered out of the saide indictmentes

Estreates redeliuered to the sherifes by the Iustices.

or

or presentments: Then the said shirife which so doeth, shall forf. C. li. the one halfe to be imployed to the expences of the Queenes house, & the other to the party indamaged, which shal haue an A. of debt at the common law, and like proces as in an accion of debt, wherein no W. E. p. & c. 1. Ed. 4. 2.

Sherifes of
London
Grauntees
of fines.

15 ¶ But this act doeth not extende to the Sherifes of London, concerning any indictments or presentments taken within the saide Citie, nor to any person which hath graunts of any fines or amercia- ments by any letters patents of any of the Queens progenitors, bea- ring date befoze the x. day of December, Anno. 1. Ed. 4. & An. Dom. 1461. nor to any person hauing any liberties or fraunchises by any of the sayde letters patents, or in any other maner by prescription. 1. E. 4. 2.

No plaints
shal be entred
but where the
plaintife or his
Attorney is
present.

16 ¶ No sherifes, vndersherifes, shire Clerkes, neither any per- son in their names, nor by their commaundement, shall take and en- ter any plaintes into their bookes, in any mans name, vnesse y par- tie plaintife be in proper person present in the Courtes, or else by a sufficient attorney or deputie that is knowen to bee of good name & disposition. And the same plaintife shall finde pledges to pursue his saide plaint, such persons as are knowen there in that Countie & the plaintife shall haue but one plaint for one trespasse, or contract, and if the sayde Sherifes, Undersherifes, shire clerke, take, enter, or cause to bee entred, any mo plaints then the plaintife supposed that he hath cause of accion against the defendant: Then the sayde Sherife, Un- dersherife & c. that offendeth, shall forfeite for euery default xl. s. to the Queene and Informer & c. to be recouered in the Eschequer. And ouer that the Iustices of peace in the same Counties, and euery of them, haue authoritie vpon complaint made by the partie so vnlaw- fully griued, to examine the sayde Sherifes, Undersherifes, or Shire clerke, and plaintifes. And if they or one of them finde by the examination default in the sayde Sherife & c. in entring of the sayde plaintes deceitfully for his aduantage, contrary to this act, Then the sayd Sherife & c. shall bee conuict and attaint of the same offence, without further enquirie, and hee shall forfeite vpon the same exa- mination fortie shillings to the Queene for euery default, and the sayd Iustices that so shall take the examination, shal certifie the same within a quarter of a yeere, into the Eschequer, vpon paine of xl. s. 11. H. 7. 15.

Plegii de pro-
sequendo.

Entring of mo
plaints then p
plaintife hath
cause of accion

Examination
by p Iustices
of peace.

Execution of
precepes by
Baillifes.

17 ¶ The said sherifes, vndersherifes, and Shire Clerkes, shal make or cause to bee made a sufficient precept to the Bailifes of the hundreds, to attach, summon, and warne the defendants that are so
in

in suit, to appeare and answere to the sayde plaintes. And if there be any default in the sayd Bailifes, in warning of the sayde defendants or in executing their office, then the same bailifes shall forfait for every default to the Queene xl.s. and bee attaint thereof by like examination of the Iustices of peace or every of them, as is before rehearsed. 11.H.7.15.

18 **S**herifes, vndersherifes, shire Clerkes, and their deputies, shall make none estreats, to leuie the saide sherifes amerciaments vntil two Iustices of peace, (whereof one shall be of the Quorum) haue had the view & oversight of their bookes, & that the estreats be indented betwixt the said Iustices and the said sherifes & vndersherifes, and sealed with their seales, the one part to remaine with the saide Iustices, & the other part with the said sherifes or vndersherifes, for the intent to vnderstand if any deceit or vnttrue demeaning bee in them in making of their bookes. 11.H.7.15.

Two Iustices shall view the sherifes estreats.

19 **T**hose persons which shall be gatherers of the same amerciaments, as Bailifes, or other officers, shall be sworne by the saide Iustices, that they shall take no more money then is forfeited and contained in the said estreats sealed with the seales of the sayd Iustices by on the same paine of forfeiture as before is rehearsed, therof the same gatherers to be conuict by examination of the Iustices, or one of them &c. 11.Hen.7.15. Neither shall any Sherife bee charged to leuy any issues, nor shall leuy any before the same goe out of the Eschequer by estreats. And every man shall be charged of those issues forfeited as well as of amerciaments. And if the sherife will returne the issues of any recognisor, pledge, or mainpernor, which at the time of the returne, was not sufficient to answere the said issues and amerciaments, the sherife himselfe shall answere, and shall be therewith charged in the Eschequer. And if the sherife returne the names of any mainpernor, iuro, or other but according to the tenor of the writs to him directed, or do returne the names of any pledges, except the same pledges doe thereunto consent, hee shall be grievously punished. 27.Ed.1.stat.de finibus.

Bailifes shall be sworne to gather but what is due.

The sherife shall execut his warrant & no more.

20 **T**he Iustices of peace shall be appointed and named at the general sessions after the feast of S. Michael, by him that is Custos rotulorum of the said countie, or els by the eldest of the Quorum in his absence, to haue the oversight and controlment of y^e saide sherifes, vndersherifes, and shire clerkes, & other of the sayde officers, & of the said sherifes amerciaments, And the said Iustices of peace vpon suggestion or information of the p^r.griued, shall make like proces, as in an accion of trespassse against the sayde Sherifes, vndersherifs, or shire clerkes,

Iustices assigned to oversee the sherifes estreats.

clerkes, & other the foresaid officers misbemeaning as is aforesayde, for to appeare before them to answere to the said suggestion, or information. 11. H. 7. 15.

No Sheriff shall be Justice of peace in the same county.

21 ¶ No person hauing, vsing, or exercising the office of the Sherife of any countie, or counties, shall exercise the office of a Justice of the peace, by force of any commission or otherwise, in any Countie or Counties where he shal be Sherife during the time onely that hee shall vse or exercise the said office of Sherifewike, & euery act done by authoritie of any commission of the peace during the time abouesaid shalbe voyd. 1. H. 1. Parliament, 8.

Four deputes to make repleuies.

22 ¶ If the Sherife of any shire (being no Citie or Towne made shire) do not within two moneths after he hath receyued his patent of Sherifewike, appoint and proclaime in the shire towne iiii. deputies at the least, one dwelling not aboue twelue miles distaunt from an other, in the Sherifes name to make repleuies and deliuerance of distresses in such maner and forme as the Sherife may or ought to do, he shal for. for euery moneth that hee shal lacke such deputies. v. li. to the D. & J. to be recouered by A. J. & wherein no W. E. P. & c. 1. & 2. P. & H. 12.

Wrongful seizure of another mans lands or goods.

23 ¶ If any Sherife, Eschetor, or other officer of the Queenes do seise the landes, goods or cattels of any man, surmising that hee is outlawed, because hee is of the same name that some other person is which is outlawed, the party shall haue a writte of Idemptitate nominis, and shall find suertie to the Sherife, or other officer, which hath warrant to seise, to answere to the Queene the value of the goods or cattels, in case hee cannot discharge him selfe, without any thing therfore paying. And if the Sherife or other officer &c. doeth not take the same, the party griued may haue his suit against him, and recouer his double daunnages. And also the sayd officer shal receiue grievous punishments at the Queenes handes. 37. Ed. 3. 2. And the writ of Idemptitate nominis is maintainable for the executors of euery testator, as well as the same accion was before mainetainable by the person him selfe which was molested by cause or colour of any outlawrie. 9. H. 6. 4.

Idemptitate nominis.

Juries to enquire of the decay of tillage.

24 ¶ If the commissioners, or two of them at the least to whome any commission vnder the great seale of Englande shalbe directed into any Shire within Englande or Wales, to enquire of any offences done contrary to the statutes made for the maintenaunce of Tillage. 4. H. 7. 9. 7. H. 8. 1. 27. H. 8. 22. 5. El. 2. or any of them doe direct their precept to the Sherife of any County within the limits of their commission to warne as many honest men of his bayliwike as the

the sayde commissioners shall appoynt to enquire, and presentment make of the offences done contrary to any of the sayd actes. And if the sheriffe to whome such precept shalbe awarded, shall be negligent in seruing of the said precept, and returning of the same, at y^e time and place appointed in the saide precept: Then the commissioners or fower of them, shal for euery such default, assesse vpon y^e sheriffe. x.li. and shall estrete the same into the Eschequer. But the sheriffe, vnder sheriffe, or his deputie, may not enter into anie franchise or libertie to execute the saide precept, but make his Mandatum to the bailiffe thereof for the seruing of the same, If which bailiffe doth not his duetie in the executing of the same as the sheriffe ought to do, he shall forf. v.li. 5. Cl. 2. 14. Cl. 11.

25 ¶ Euerie sheriffe in anie shire of this realme, shall doe his diligence to searche and knowe by vertue of his office, all defaultes committed by anie personnes in lacking of stoned trotting horses, contrarie to the statute made 33. H. 8. as shall happen within the shire where he is sheriffe. And shall once in the yeare, v^z. in the terme of Saint Michaell, certifie the saide defaultes if anie be, into the Eschequer, by w^{ri}ting vnder his seale, to the intent that proces may be made against the offenders. And euerie such certificat of the sheriffe, shall be of as good effect against the offenders, as information thereof made in the Eschequer. And in case anie shall be convicted vpon such certificat, by confession or triall, according to the course of the common lawe, then the sheriffe making such certificat shall haue one moytie of the forfeiture, and the Queene the other 33. H. 8. 5. S. Horses, 10.

Enquire of
stoned horses.

26 ¶ If anie sheriffe, vnder sheriffe, Eschetor, bailife of franchise, or other person doe take or seise the goods of anie person arrested and imprisoned, before the same person be convicted or attainted of felonye according to the law, or that the same goods be otherwise lawfullie forfeited, he shall pay to the P. greued the double value of the goods so taken or seised, to be recouered by A. of debt, wherein no W. E. P. &c. 1. R. 3. 3.

The sheriffe
shall not seise
the goods of
a prisoner vntill
he be attainted.

27 ¶ Hundreds, v^z. bailifes of hundreds, which be knowen and swozne in the ful countie, shal make execution of al w^{ri}ts which come to the sheriffe and none others (except it be in the great default or notorious disturbance of the hundredors) and then other persons which be conuenient and swozne, shall make execution, so that the people may alwaies know to whome to resort for such execution (sauing the return of w^{ri}ts to them which of right ought, &c.) And the same hundredors shall be credible persons, and shall haue lands sufficient in the

Bailifes of
hundreds.

same hundred or in the countie where the hundred is, so that they shal not neede to vse extorcion, Lincolne 9. Ed. 2. 2. Ed. 3. 5. 5. Ed. 3. 5. 4. Ed. 3. 8. And the sherifes shall place such baylifes for whō they wil answere. And so shall those Lords which haue hundreds and wapen- takes in fee. 14. Ed. 3. 9.

Sherifes Bail-
lifs shal not be
in that office
iii. yeris after.

28 ¶ They which be sherifes baylifes one yere, shall not be in any such office by the space of thre yeris next ensuing, except the bay- lises of those sherifes which haue inheritance in their Sherifewikes, 1. H. 5. 4.

Counter rolles
with the Co-
roner.

29 ¶ The Sherife shall haue counter rolles with the Coroner as well of appeales, as of Enquestes of attachementes, and other thinges which doe belong to the Coroners office, West. 1. 3. Ed. 1. 10. But no Sherife, Constable, Eschetour, Coroner, or any other Baylife of the Queenes, shall holde pleas of the Crowne. Magna Charta 17.

Deliueraunce
of cattell, by
the Sherife vpon
default of
the baylife of
the libertie.

30 ¶ Where the sherife ought to returne the Queenes writ to a baylife who hath right to returne the writ, if the Baylife of the fran- chise doe not make deliuerance of cattell impounded after the sherife hath made the returne vnto him, the sherife shall doe his office without delay, vpon payne of forf, of double damages, West. 1. 3. Ed. 1. 17. Marleb. 52. H. 3. 21.

Executing of
proces a war-
ded for the re-
paying of
bridges.

31 ¶ All sherifes and Baylifes of liberties and fraunchises shall truly serue and execute such proces as shal come to their hands from the J. of peace, before whom any presentment shall be had for any an- noyance of Bridges, according to the tenor and effect of the sayd pro- ces to them directed, without fauour, affection, or corruption, vpon paine to make such fine as shalbe set vpon them, or any of them by the sayd Justices. 22. H. 8. 5.

Sherifewikes
deuinded.

32 ¶ The Queene her heires and successors, Kinges or Queenes of this Realme, shall and may yerely choose, and make for eueri of the Counties of Essex and Hertford, Somerset and Dorset, War- wike and Leicester, Nottingham and Darby, Oron, and Bark, one sufficient and able person to be sherife of the same, in such lyke man- ner, as is and hath bene vsed to be made for any other countie within this Realme. And eueri person which shall bee appoynted Sherife for any of the sayd counties shalbe accomptable, and vsed in the order of his accompt, and all other thinges and allowance to him made in the Eschequer and al other Courtes, and places, in such manner and fourme, as is commonly vsed for sherifes in like cases. An. 8. El. 16. 13. El. 22.

33 ¶ No Sherife chosen and made of any one of the foresayde counties

counties,shal pay in any court of record for any dutie belonging properly to the office of Sherife, any other fees, or charges then onely the one halfe of the charges and fees which he should be compelled to haue payed, if he had bene Sherife of two of the sayd shires and counties, as before the making of this act was vsed. 8. El. 16. 13. El. 22.

But halfe the charges shalbe paid for Sherife wikes deuised

34 ¶ Per Stat. 7. R. 2. 6. Euery Sherife of England ought in proper person to make proclamation of the statute of Winchester provided 13. Ed. 1. agaynst homicides, burning of houses, robberies, and other felonies iiii. times in euery pere, in euery hundred of his bayliwike, and by his baylifes in euery market, as well within liberties as without.

35 ¶ Al & euery person & persons, that shalbe admitted to, or take vpon him the executing of the office of an vnder sherife, in any shire or countie, within this Realme of Englande, before he intermedle with the vse or exercise of the saide office, shall receiue and take a corporall othe, vpon y^e holy Euangelists, before y^e I. of Assise, or one of them, of the same circuite, wherein that countie is, whereof he shalbe vndersherife, or before y^e Custos Rotulorum, or two I. of y^e peace, whereof one to be of the Quorum of the sayd countie, whereof he shalbe vndersherife, as aforesayd, for, and concerning the Supremacie in such maner and forme, as that othe is expressed and declared in one Act of Parliament made and ordeyned, An. 1. El. together with which othe, he shal in like sort, before the same person or persons, receyue and take one other corporall othe, as followeth, (that is to say) I. A. B. shall not vse or exercise the office of vndersherife corruptly during the time that I shall remaine therein, neither shall or will accept, receiue or take by any colour, meanes, or deuise whatsoeuer, or consent to the taking of any maner of fee or rewarde, of any person or persons, for the impanelling, or returning of any Inquest, Iurie, or Tales, in any Court of Record for the Queene, or betwixt partie and partie, aboue ii. s. or the value thereof, or such fees as are allowed and appoynted for the same, by the lawes and Statutes of this Realme. But wil, according to my power, truly and indifferently with couenient speed impanel al Iurors, & returne al such writ, or writs touching the same, as shall appertayne to be done by my duety or office, during the time that I shall remaine in the sayd office, So helpe me God. And this Acte shalbe a sufficient warrant to the persons appoynted by this Act, to minister the othe aforesayd, for the ministring thereof accordingly. 27. El. 12.

Euery vnder sherife shalbe twice swoyne.

s. Quene 4.

No rewarde for the impanelling of an inquest.

Bailifes of franchises, sherifes, clarkes, and deputies, shall take the foresayd othes.

36 ¶ Euery Baylife of Franchise, Deputie and Clerke of euery Sheriffe and Vndersheriffe, and euery other person and persons,

Et. ii,

which

Sherifes.

which shall haue authoritie, or take vpon him to impanell or retorne any Inquest, Iurie, or Tales, or to intermeddle with execution of processe, in any Court of Recorde, shall, before hee or they intermeddle with any further execution thereof, receyue and take the othes aforesayde corporally, before the person or persons appoynted by this Acte to minister the same, or before the head officer of the place, if it be a Towne corporate, chaunging onely the wordes (the office of Undersherife) contayned in the othe expressed in this Acte, to such wordes as are conuenient for the deputation, office or place, in which þ partie, which taketh the othe, is to be exercised in. And if any the sayde persons, limited to take the othe aforesayde, doe take vpon him to impanell or retorne any Inquest, Iurie, or Tales, or to intermeddle with the execution of processe, not hauing before taken the othes aforesayde: Then euery such person shall forf. xl. li. to the Q. and J. to be recouered in any of the Q. Courtes of Recorde by A. B. P. J. wherein no W. E. P. &c. 27. El. 12.

The forfeiture
of the Offens-
dors.

37 If any vnder sherife, or other person mencioned in this Act, or any of them, shal do, or commit any act, or Acts contrary to þ othes aforesaid, or either of thē, or cōtrary to þ true intent & meaning of this act, Thē euery such person so offending shal forf. for euery such offence to the partie or parties grieved, his or their triple damages, to be recouered by A. B. P. or J. in any of the Q. courts of recorde, wherein no W. E. P. &c. 27. El. 12. S. Iustices of peace.

Bailifes of
liberties.

1 That euery statute provided for sherifes shall extend to baylifes of liberties. S. Franchises 1.

Redisseisin.

2 For the sherifes ducie in executing the writ of Redisseisin. See Redisseisin 2. 3.

Repleuing a
distresse.

3 For the sherifes ducie in repleuing of a distresse, and taking band for prosecuting the suite, and making of Retorne. See Repleuine 1. 3.

Riottes.

4 For the Sherifes ducie in recording and certifying of Riottes. S. Riottes 1. 3.

Returnes.

5 For the retournes of Sherifes and Baylifes of liberties. S. Retorne of Sherifes.

Estreates.

6 That the Sherife must shew to the partie indebted the estreates sealed, and vpon the payment, Tot the same. S. Estretes 1.

Amerciamēts

7 That amerciaments for insufficient retournes by stewardes or baylifes of liberties, shalbe set vpon their heads, & not vpon the sherifes. S. Franchises 3.

Attorney.

8 That no vnder sherifes, sherifes clerke, receiuour, or baylife shal be attorney. S. Attorney. 7.

9 That

9 That sherifes may enquire of counterfaites of false weightes & Counterfeiting
punish them, S. Waighes 13. waighes.

10 What a Sherife shall forf. which doeth not execute a writ to
him directed at the suit of a woman which is enforced to be bounde A womans
writte.
by obligation or statute, S. Women 14.

11 That the Sherife shall discharge his distresse, which can finde A debtor.
him suertie to gree for the thing in demaund, & that the sherife shall
acquite the Queenes debtor of that which he hath receiued, S. Ac-
compt to the Queene. 45.

12 How the sherifes shalbe punished, which by colour of his of- Disseisin.
fice doth disseise any man, S. Affise. 4.

13 In what time a sherife shal array assises and deliuer the copies. Array assises.
S. Affise. 8.

14 ¶ What the sherife shall forf. which doth suffer an escape, or Escape.
doth take any thing for an escape. S. Escape 1. 2.

15 How the sherife shall vse a hauke which is found, taken vp, & Hawkes.
brought vnto him, S. Haukes. 2.

16 For the punishmēt of the sherife which letteth one go which Bayling an
offendor.
is not repleuisable. S. Mainprise. 56.

17 For all the sherifes duetie about the electing and returning of Knights of the
parliament.
Knights of the parliament, Burgeses of the parliament, & leuying of
their wages, S. Parliament. 4. 5. 8. 12.

18 That sherifes shal haue charge of gaoles, & of the prisoners Gaoles.
therein, and the appoyntment of gaolers, S. Prison 4. 6.

19 That a Sherife may take out of Sanctuarie any abiured person Sanctuarie.
committing felony, S. Sanctuarie. 9.

20 In what case & maner the sherife vpon preceptes shall goe to Enquire of
wast.
inquire of wast, S. Wast. 3.

21 That the sherifes shall attend vpon a Iustice of peace to arrest Forcible en-
tries.
those which make any forcible entries, S. Force. 4.

22 What iurours, and of what sufficiencie the sherife in seuerall Returning
Iurors.
case shall returne, and vpon what payne, See Iurours 12. 13. 14. 16.
19. 20.

23 The Sherife or Baylife of liberties duetie in executing and re- Attachement.
turning an attachement to him directed by the Iustices of peace
for the attachement of a Collector or Surueyour of prisons, See Pri-
sons. 2.

24 In what maner the Sherife shall make purueyance for the Q. Purueyors.
horses & dogs within his countie, S. Purueiours. 10.

25 By whom the sherifes in Wales shalbe appoynted, their auc-
thoritie, accompt, courts, fees, &c. S. Wales. 36. &c.

¶ Silke.

These things wrought of silk may not be brought into England.

NO person shall bring, or cause to be brought into this Realme of England to be solde, any silke wrought by it selfe, or with any other stuffe in any place out of this realme, in ribands, laces, girdles, coxles, caules, coxles of tissues, or poynts, vpon paine to forf. to the Q. and any of her subiects that will seyse the same all the same ribands, laces, &c. in whose handes soeuer they bee founde, or the value of the same. But it shall be lawfull to euery person, as well straunger as other, to bring into this realme al other maner of silks, as wel wrought as rawe or vnwrought, to sell at his pleasure. And it shall be lawfull to all persons that haue any such ribands, laces, girdles, caules, coxles of tissues, or poyntes wrought beyonde the sea brought into this lande by the Queenes licence, and to be solde, to make sale of the same. 19. H. 7. 21.

¶ Who may weare any filke in or vpon their garments, and who not, S. Apparel,

¶ Sope vessels.

EUery sopemaker putting to sale sope, shall cause an emptie barrell to containe xxii. gallons or aboue, and not to be in weyght aboue xxvi. poundes, a halfe barrell emptie not to weigh aboue thirteene poundes, and to conteyne xvi. gallons or aboue, an emptie firkin not to weygh aboue vi. poundes and a halfe, and to conteyne viii. gallons or aboue of full and iust measure, vpon paine to forf. for euery vessel contrary iii. s. iiii. d. 23. H. 8. 4.

¶ Statutes & Recognisances,

Statute merchant.

EUery merchant y^e wil be sure of his debt, shall cause his debtor to come before the Maior of London, Yorke, or Bristowe, or before some chiefe Warden of one of these, or some other good towne therunto assigned by the Q. & before y^e Maior, chiefe Warden or other sufficient men chosen & sworne therunto, when y^e Maior, or chiefe Warden cannot attend, and before one of the clerkes thereunto by the Q. assigned when both cannot attend, and to acknowledge the debt, and the day of payment. And y^e recognisance shalbe inrolled by the hande of one of the clerkes which shalbe knownen, & the roule shalbe double, whereof

whereof one part shal remaine with the Maior or chiefe warden, and the other with y^e sayd clerke, & one of the clerkes with his owne hand shal write the obligation, to which writing y^e debtors seale shall be put with the M. seale to that vse provided, the which seale shall be of two peeces, whereof the great peece shall remaine in the custodie of the Maior or chiefe Warden, and the other in the custodie of the foresayd clerkes. And if the debtor do not pay the debt at the day to him assigned, the marchant shal come to the Maior and clerke with his writing obligatorie. And if it bee founde by the roule or writing, that the debt was knowledged, and the day of payment expired, the Maior or chiefe wardens shall cause the bodie of the debtor to be apprehended (if he be a lay man) whensoever he cometh within his Jurisdiction, & committed to the prison of the same towne (if there be a prison) and there he shal remaine at his owne costs until he hath agreed for the debt, & the keeper of the towne prison shal receiue him by the deliuerance of the Maior or chiefe warden, and if he shall not receiue him, the keeper of the prison shal immediately answere the debt, if he haue wherewith, but if he haue not wherewith, he shall answere the debt which committed the keeping of the prison vnto him. And if the debtor cannot bee founde within the power of the Maior or chiefe warden: Then the Maior or chiefe warden shall send the recognisance of the debt vnder the M. foresayd seale vnto the Chancerie, from whence shalbe directed a writ to the sherife within whose bayliwike the debtor may be found, that he shall take his bodie (if he be a lay man) and keepe him in safe prison until he hath agreed for the debt, and within a quarter of a yere after he is taken, he shal haue his lands and goods deliuered vnto him, so that with them he may liue & pay his debt, and it is lawfull for him within this quarter to sell his lands and tenements to discharge his debt, & his sale shalbe good. But if he doe not agree within the quarter, after the quarter of a yere expired, al the goods & lands of the debtor shall be deliuered to the marchaunt by a reasonable extent, to holde vntill the debt be fully leuied, and neuerthelesse the bodie shall remaine in prison, and the marchant shall finde him bread and water. And if they which do prayse the moueable goods which are to be deliuered to the creditor, doe prayse them at too high a price in fauour of the debtor, and to the dammages of the creditor, the thing praysed shalbe deliuered to them for the price which they haue set, and they shall immediately answere the creditor his debt. But if the debtour will say that the moueable goods were sold or deliuered for lesse then they were worth, thereof he shall haue no remedie, for that the goodes were lawfully solde to him that woulde offer most for the same, for

The seale of
the statute.

The debtors
imprisoned.

The stat. certified
into the
Chancery.

Execution of
the debtors
lands & goods

The goods ex-
tended deliue-
red to the pray-
sers.

Statutes & recognisances.

**A remedie for
tenant by sta-
tute marchant
being put out.**

**S. Returne of
sheriffes. 3.**

**The debtoꝝ
not found oꝝ
a clerke.**

**The conisee
shall haue his
costes and ex-
pences.**

Suerties.

**Of what lāds
the conisee shal
haue executi-
on.**

he may reckon it his owne folly which might haue solde his goods be-
foze the suite commenced, and leuied the money with his owne hands
and would not. And the marchant shall haue in the land so deliuered
to him oꝝ to his assignes, such seisin that hee may thereupon bring an
assise of Nouel disseisin, if he be put out, and a Redisseisin also as of his
freeholde, to hold to him and to his assignes until the debt be payd, and
after the debt leuied and payd, the body of the debtoꝝ shalbe deliuered
with his handes. And in the wittes which shall bee directed out of
the Chauncerie, mention shall be made, that the Sheriffe shall certi-
fie the Iustices of the one benche oꝝ the other, at a certaine day, howe
hee hath perfourmed the Queenes commaundement, at which day
the marchant shall sue befoze the Iustices, if hee be not satisfied. And
if the Sheriffe returne no writte, oꝝ returne that the writte came to
late, oꝝ that hee hath sent to the Bailiffes of fraunchises (then the Ju-
stices shall doe according as is contained in the statute of West. 2.)
And if the Sheriffe returne that the debtoꝝ is not found, oꝝ is a clerke,
then the marchant shall haue wittes to all the Sheriffes where hee
hath lande, that they shall deliuer all the cattels and tenements of the
debtoꝝ by a reasonable extent, to holde to him and to his assignes in
fourme aforesaide: and neuerthelesse hee shall haue a writte to what
Sheriffe he will, to take his body (if he be laye) and to holde in forme
aforesayde, and the keeper of the prison must keepe him safely, for hee
shall answere the body oꝝ the debte, and after the debtoꝝs landes be de-
liuered vnto the marchant, the debtoꝝ may well sell his landes, so that
the marchant receiue no damage by the approuement. And the mar-
chants shall haue all their necessarie damages and costes in trauel,
suite, delaye, and expences allowed vnto them, and if he be a marchant
stranger, hee shall remaine at the costes of the debtour, for so long time
as hee tarieth about the suite of his debt, and untill the goods of the
debtoꝝ bee solde oꝝ deliuer vnto him. And if the debtoꝝ doe finde pled-
ges oꝝ suerties after the day passed, the suerties shall bee vsed in all
respectes as is aforesayde of the principall debtoꝝ, concerning taking
of their bodies, liuring of their landes and other things. But so long
as the debt may bee fully leuied of the mooueable goods of the debtoꝝ,
the suerties shall receiue no losse. And when the debtoꝝs landes shalbe
deliuered to the marchant, hee shall haue seisin of all the landes which
were in the debtoꝝs handes the day of the recognisance knowledged,
into whose handes soeuer they doe after come, either by feoffement
oꝝ other maner. And after the debt payde, the lande and the issues
of the lande of those which bee debtoꝝs by feoffement, shall as well
returne againe to the feoffees, as the other landes to the feoffoꝝs. And
if the

if the debtoꝝ oꝝ his suerties die, the merchant can not take the body of his heire, but shall haue his landes in forme aforesayd, if he be of full age, oꝝ when he shall be of ful age, vntill he haue leuied so much as his debt amounteth vnto. Before the recognisances shalbe inroulled, þe penaltie of this statute shall be openly read before the debtoꝝ, so that hee shall not after excuse him selfe by ignorance of the paine whereunto he bound himselfe, and þe D. shall haue in euery towne where the seale is to maintaine the costs of the clerke, i. d. of euery pound. Acton Burnel, 11. E. 1. de mercatoribus, 13. Ed. 1. And all recognisances of statute merchant and Acton Burnel, which shalbe knowledged, inroulled, and sealed with the seale appointed to the city of Chester before the Maior of the same citie, in like maner as the Maiors and other officers in the said citie haue accustomed to take, inrole, and seale, shalbe good and effectuell in the lawe. 2. Ed. 6. 31.

No execution of an infants lands.

The penalty of the statute read before the debtoꝝ.

Statutes in Chester.

2 ¶ Every clerke which shalbe deputed to receiue recognisances in cities & boroughs according to þe statute merchant, shal abide in proper person to do his office, and shall haue lands sufficient in the same countie whereof he may answer all persons if he offend, and if there be any other in such an office, hee shalbe remoued, and another more meete be set in his place. 14. Ed. 3. 11.

Clerke of the statute shall haue sufficient, and dwell vpon his office.

3 ¶ Where a statute marchant is certified into the Chauncerie & thereupon a writ awarded to the sherife, & returned into þe common place, and the statute thereon shewed, howsoever the proces after this shewing be discontinued, at what time the party sueth to recontinue þe proces, and to haue execution of the statute marchant, the Justices of the bench in which þe statute was once shewed, may vpon the same record, award and make ful execution of the said statute, without hauing any other sight thereof after. An. 5. H. 4. 12.

Execution awarded vpon a statute once shewed in Court.

4 ¶ Every Maior of the staple hath auctoritie to take recognisances of debts that a man will knowledge before him in the presence of the Constables of the staple, oꝝ one of them, & in euery staple there shalbe a seale remaining in the custody of þe said Maior vnder þe seales of the same Constables, and all obligations which shalbe made vpon such recognisances shalbe sealed wth the same seale, paying for euery obligation of C. li. & vnder, of euery pound ob. & of euery obligatiō aboue C. li. of euery pound q. And the Maior of þe staple by vertue of þe same writing obligatorie so sealed, may take and hold in prisō the bodies of the debtoꝝ after the terme incurred if they be found wthin the staple, vntil they haue agreed with þe creditoꝝ for his debt & damages, and also arrest the goods of þe said debtoꝝ found within the sayd staple, & deliver þe said goods to the said creditoꝝ, according to þe very value, oꝝ sell them

Statut staple.

Execution of the body and goods of the consioꝝ.

Statutes & recognisances.

The statute
certified into
Chancery.

them at the best he may, & deliuer so much therof to þ creditors as the
sume due, & if the debtors cannot be found within the staple, nor their
goods to the value of the debt, that shalbe certified into þ Chauncery
vnder the said seale, vpon which certificat a writ shall be directed to
take the bodie of the said debtors without letting them to bayle, and
to seise their lands, tenements, goods and cattels. And the writs shall
be returned into the Chauncerie, with a certificat of the value of the
said lands, tenements, goods, and cattels, and thereupon due executiō
shalbe made from day to day, in maner as is contained in the statute
marchant, so that hee to whom the debt is due shall haue an estate of
freehold in the lands & tenements, which shalbe deliuered vnto him
by vertue of this proces, & shall recouer by assise of Nouel disseisin if
he be put out. But the debtor shall haue no aduantage of the quarter
of a pere which is contained in the statute merchant. But if þ creditor
will haue no letters vnder the said seale, but will stand to the faith of þ
debtor, if after the terme incurred, he demaunde his debt, the debtor
shall be credited vpon his faith. 27. Ed. 3. 9. And if any Maior of the
staple, do receiue any recognisance of debt against the forme afoze
said, he shall pay to the Q. one halfe of the summe knowledged before
him. 15. R. 2. 9. S. 14.

Recognisance
in nature of the
Statute Staple.

5 ¶ The chiefe Iustice of the Kings Bench, and the chiefe Iustice
of the common place, and euery of them by him selfe, & in their absēce
out of the terme, þ Maior of the staple at West. & the Recorder of the
Citie of London for the time being, iointly together by his or their
discretion, haue auctority to take Recognisances or knowledges of
euery of the Queenes subiects for the payment of debts, according to
such forme as hereafter ensueth.

The forme of
a recognisance.

6 ¶ Nouerint vniuersi per presentes me A. B. & C. D. Armig, te-
neri & firmiter obligari Iohanni at Scile in C. li. sterling. soluendis
eidem Iohanni aut suo certo Attornato hoc scripto ostendent. hered.
vel executoribus suis in tal. fest. &c. prox. futur. post datum presen-
tium. Et si defecer. vel defecerim. in solutione debiti predict. volo
& concedo, vel sic, volumus & concedimus, quod tunc currat super
me hered. & executores meos, vel super nos & quemlibet nostrum,
hered. & executores nostros, pena in Statut. staple de debit. pro mer-
chandisis in eadem emptis recuperand. ordinat. & prouisa. Dat. tali
die, An. Regni &c. 23. H. 8. 6.

Sealing of a
Recognisance.

7 ¶ And euery obligation þ shalbe made as is afozesaid, & know-
ledged before any of the said chiefe Iustices, or þ said Maior & Recor-
der, according to this act, shalbe sealed with the seale of þ party or par-
ties þ shal recognise or knowledge the same, and also wth the Queenes
seale

seale ordained for y^e same, & with y^e seale of one such of y^e said Iustices, or with y^e seales of y^e said Mayor & Recorder, & with his or their name or names subscribed that so shall take the same recognisance, or knowledge, & every of the said two Iustices, & the Mayor & Recorder shall have the custody of one such seale, by y^e M. appointed, with one like print, scripture, and fashion which shall severally remaine with them, to the intent aboue rehearsed. 23. H. 8. 6.

8 ¶ An honest and discreete person assigned by the M. or his sufficient deputie or deputies, shall make & write all such obligations as shall be knowledged, & recognised by aucthority of this act, & shall cause the same being knowledged & recognised in forme as is abovesaid, to be inrouled in two seuerall roules indented, whereof one shall remaine wth such of y^e said Iustices, or wth y^e said Mayor & Recorder, y^e so shall take y^e same recognisance, & y^e other with the writer thereof, appointed for y^e same. And the said pers^{on} appointed for making, writing, & inrouling of such obligations, or his sufficient deputie or deputies, shall be dwelling or abiding in y^e Citie of London, vpon paine to forfaitte for every time that he & his deputie shall be absent by the space of two dayes x. li. And the said person so appointed, or his sufficient deputie or deputies at the request of the creditor, their executours or administrators, shall certifie such obligations as shall be taken and recognised by aucthoritie of this act, into the Chauncerie, vnder the seale of the person so appointed &c. 23. H. 8. 6.

Clerke of the Statutes.

9 ¶ Every person and persons to whom any such obligation shall be made, knowledged, & inrolled as is aforesaid, their executours & administrators, and the executors and administrators of every of them, for default of payment of the debtes contayned in such obligations, shall have in every point, degree, and condition against the said recognisor & recognisors and every of them, their heires, executors & administrators, and the heires, executors, & administrators of every of the, like proces, execution, comodity, & advantage in every behalfe, as hath bene v^sed & accustomed before this time to be had, done, or made of & vpon any obligation of the statute of the staple, and vnder such maner and forme as is for the same statute of the staple provided, paying for such proces and execution to be had, such like fees as is accustomed for proces and execution to be had vpon obligations of the same statute of the staple, and not abone. 23. H. 8. 6.

Execution vpon a recognisance.

10 ¶ Every such person & persons y^e shall be bounden or otherwise greued by vertue of any obligation made by aucthoritie of this act, shall have their like remedy by Audita querela and all other remedies in the law, that they mought have had in case they had bene bounden by

Audita querela.

by obligation of the statute of the staple. 23. H. 8. 6.

The Queene
shall haue ob.
in the li. upon
execution sued

11 ¶ Every person that shall haue proces for execution to be had, by reason of any obligation to be made and knowledged according to this act, shall pay to the Q. &c. at the sealing of the said proces ob. for every pound, that shall be contained in the obligation, whereof execution shall be required, & not above. 23. H. 8. 6.

The remedy
for tenant by
recognisance
being disseised.

12 ¶ Every such person and persons y^e shall haue execution of any lands, tenements, or hereditaments, by reason of any such obligation, made, & knowledged, as is aforesaid, and their executors, administrators or assignes, & the executors, administrators and assignes, of every of them (if they or any of them be put out, or disseised) shall haue like remedy in every condition, as persons hauing execution, in, and upon any statute of the staple, after execution of them had, made or might haue, by vertue of the said writing obligatorie of the statute of the staple, and execution of the same. 23. H. 8. 6.

The Justices &
Clerkes fee by
on every re-
cognisance,

13 ¶ Every of the saide Justices, and the sayd Mayor and Recorder before whom any such obligations shall be recognised, shall take for every knowledge of every one such recognisance, iii. s. iii. d. and not above. And the Clerke that shall write, make, & inroule the same, iii. s. iii. d. And for the certificat of every one such obligation, xx. d. And if any of the saide Justices, Mayor, Recorder, or Clerke, take of any of the Queenes subiectes above the summe or summes to them lymitted by this statute, then y^e sayd Justices, Mayor, Recorder, or clerke, that shall take contrary to the forme aforesaid, shall forfeite for every time so offending to the Q. & J. xl. li. to be rec. by A. J. &c. wherein no W. &c. E. P. &c. 23. H. 8. 6.

In what cases
recognisances
by statute sta-
ple may be ta-
ken.

14 ¶ No Mayor, or Constable of the Staple, for the payment of any summe of money, shall take any knowledge or recognisance of the said statute of the staple of any of the Queenes subiectes, upon paine to forfeit. to the Q. & J. for every time so offending xl. li. to be recovered by A. J. &c. wherein no W. &c. E. P. &c. But this act is not preiudicial to any Mayor and constables of the staple, for any band or writing of the statute of the staple to be taken or receiued betwene merchants being free of the same staple, for merchandises of the same staple, betwene them lawfully bought & solde. 23. H. 8. 6.

The contents
of statutes
shall be entred
in the Clerks
office.

15 ¶ The whole tenor and contents of al statutes marchants and statutes of the staple, hereafter to be knowledged, shall within vi. moneths next after such knowledging, be entred in y^e office of the Clerke of Recognisances, taken according to the statute made. 23. H. 8. by the shewing forth of the said statute marchant or statute staple so knowledged, vnto the said Clerke, which said Clerke of the recognisance shall

shall enter or cause to be entered the same statutes into a booke for that purpose to be provided, and safely kept by him, taking viii. d. and no more for every such entrie. 27. El. 4.

16 **I**f the partie, to whom any such statute marchant or of the Staple shalbe knoweledged, his executors or administrators, doe, or shal not within iiii. monethes next after the knowledging of any such statute, bring and deliuer, or cause to be brought and deliuered vnto the sayd Clerke, or his deputie or deputies for the time being, all and every such statute and statutes as shalbe so knoweledged to him, or to his vse, whereby and to the intent that the said Clerke, his deputie or deputies may take and enter a true copie thereof: Then every such statute marchant and of the staple not so entered, shal be void, frustrate, and of none effect, against all and every such person and persons, bodies politique and corporate, their heires, successors, executors, administrators and assignes onely, as shal after the knowledging of the said statutes or any of them purchase for money or other good consideration, the lands, tenements, or hereditaments, which were liable to the same statute marchant, or of the staple, or any part or parcell thereof, or any rent, lease or profit of or out of the same. 27. El. 4.

The statute not entered, void against a purchaser of lands liable to the same.

17 **I**f the said Clerke, or his deputie or deputies for the time being, shal not vpon such shewing and deliuerie vnto him or them of any statute marchant, or of the staple, enter, or cause to be entered the same in his said booke, within the said time of vi. monethes, and also endorse vpon every such statute so by him entered, the day and yere of his said entrie with his or their owne name: Then every such clerke fayling, or defectiue in that behalfe, shal forfeit and lose for every statute marchant and of the Staple so brought vnto him or them, and not entered and endorsed, or caused to be entered and endorsed as aforesaid, the sume of xx. pound, the one moitie whereof to be to y^e Queenes Maiestie, her heires or successors, and the other moitie to him or them that will sue for the same in any of the Q. courtes of record, by A. of debt, B. p. or T. wherein no E. p. or W. &c. 27. El. 4.

The Clerke not entering or endorsing a statute brought vnto him.

18 **N**o Clerke of the said Recognisances shal or may take for or in respect of any search to be made, for or concerning any statute merchant or of y^e staple so to be entered as aforesaid, aboue ii. d. for one yeres search, & so after y^e rate of ii. d. for every yere, & not aboue, vpon paine to forfeit and lose to the partie or parties grieved thereby, twentie times as much as he shal take contrary to the true meaning of this Act, to be recovered in any of the Q. Maiesties courts of Record by A. of debt, B. p. or T. wherein no p. or W. of lawe shalbe allowed. 27. El. 4. This act to continue for the space of ten yeres, and from thenceforth,

Clerke of the Recognisances fees for search.

thenceforth, unto the ende of the Parliament then next following.

1 In what maner execution shalbe made of landes in wales, vpon a statute or recognisance. S. Walles. 67.

2 That no statute or recognisance shalbe auoied by a fained recouerie, S. Recoueries. 9.

3 That he which sueth to defete execution vpon a statute shall find suertie to the Q. & the partie, S. Corpus cum causa 2.

4 That obligations taken in the court of Wardes, shalbe of the same strength as a statute staple, S. Wardes. 27.

5 That all obligations made to the Q. shalbe of y^e same strength, as a statute staple, S. Accompt to the Q. 1.

6 That obligations taken of Ecclesiasticall persons for their first fruites be of the same strength, as a statute staple, S. Ecclesiasticall persons &c. 25.

7 A remedy for the conisee wherelands taken by him in execution be recouered. S. Execution. 3.

8 That the lands of certaine accomptants to the Q. shalbe liable to the payment of their arrerages, and be put in execution, as if they were bound in statute staple, S. Accompt, &c. to the Queene. 29.

¶ Steele.

If any person doe forge or make any gaddes of Iron, lyke to the fashion and maner of gaddes of Steele, or do utter or put to sale any such gaddes of any Iron, he shall forfait for euery gadde so forged, uttered, or put to sale. iiii. d. to the Q. & J. to be rec. by A. J. &c. wherein no W. &c. E. P. &c. 1. Ed. 6. 27.

¶ Suggestion.

If any man do make a Suggestion to the Queenes maiestie, hee shalbe sent with the same suggestion to the lord Chauncelloz, treasurer, & the Queenes great counsel, & there shal find suerty to pursue his suggestion, & the proces shalbe awarded against him of whom the suggestion is made without being taken or imprisoned. 37. Ed. 3. 18. and if he which maketh the complaint cannot proue his suggestion, he shalbe sent to prison, untill he hath agreed with the party for his damages & slander, & after shall make fine and raunsome to the Q. 38. Ed. 3. 9. And the Chauncelloz of England hath authoritie to award damages to him which is troubled in the Chauncerie, or in forme aforesaid wrongfully, 17. R. 2. 6.

1 Where he that sueth for a Prohibition shall make a suggestion and proue the same, S. Prohibition 10.

¶ Surgeons.

NO person within the citie of London, nor within vii. miles of the same, shall take upon him to exercise and occupy as a Surgeon, (except he be first examined, approued, and admitted by the Bishoppe of London, or by the Deane of Bowles, calling to him iiii. persons expert in Surgerie) upon paine of for. for euery moneth, that any person doth occupie as a Surgeon not admitted nor examined in forme aforesayd v. li. to the Queene & I. to be recouered by A. of debt, wherein no W. & C. P. & C. But this act shall not be preiudiciall to the Uniuersties of Oxford and Cambridge, or any liberties graunted to them. 3. W. 8. 11.

Surgeons in London admitted by the Bishop.

2 No person out of the said citie and precinct of vii. miles of the same (except he hath bene approued in the same) shall take upon him to occupie as a Surgeon in any Dioces within this Realme, but if he bee first examined and approued by the Bishop of the same Dioces, or he being out of the Dioces by his Vicar generall, cyther of them calling to them such expert persons in the sayde faculty, as they shall thinke conuenient, and giuing their letters testimoniall vnder their seale to him that they shall so approue, upon payne of for. of v. li. for euery moneth that any doth occupie not admitted nor examined in forme aforesayde & C. But this act shall not be preiudiciall to any of the foresayde Uniuersties & C. 3. W. 8. 11. Notwithstanding the foresaid statute, it is lawfull to euery person being y^e Queenes subject, hauing knowledge and experience of y^e nature of herbes, rootes, and waters, or of the operation of the same, by speculation or practise, within any part of the Queenes dominions, to practise, vse, and minister in and to any outward soze, vncome wounde, appostemations, outward swelling or disease, any herbe or herbes, oyntments, bathes, pultes, and implaisters, according to their cunning, experience, or knowledge, in any of the diseases, sozes, and maladies before sayd, and al other like to the same, or drinckes for the stone or strangurie, or agues, without trouble or penaltie & C. 34. W. 8. 8. And for asmuch as y^e science of Physicke doth containe the knowledge of Surgerie, as a speciall member & part of the same: any of the company of Physitions within the Citie of London being able, chosen, and admitted by the President and fellowship of the Physitions in London, may from time to time, aswell within the citie of London, as els where within this realme, practise and exercise the said science of Physicke, in all and euery his members and partes. 32. W. 8. 40.

Surgeons shall be appointed by the Bishop of the Dioces.

Helses of outward sozes.

The phisitions of London may practise Surgerie.

3 By the statute of 32. W. 8. 42. it was ordeined that the two seuerall companies of Barbours & Surgeons in London, and euery person of them being a freeman of either of the saide companyes

Surgeons and barbours made one company.

after

after the custome of the said Citie, and their successors should be from henceforth vnited and made one entire and whole bodie corporat, and one cominaltie perpetual, which should be called by the name of Masters & Gouvernours of the misterie & cominaltie of Barbores and Surgeons of London for ever, & by none other name, & by the same name to impled & be impleded before al Iustices, in al Courts, in al actions and suites, & to purchase to them & their successors, al landes &c. rents, & other possessions, and also to haue a common seale, and by the same name to enioye all such landes &c. which the company of Barbours then had, and to enioy all benefits, grants, franchises, liberties &c. at any time graunted to the sayde Company of Barbours. And that they and their successors, shall haue the search, ouersight, punishment, and correction, as well of freemen, as of forreines, for such offences as any of them shall commit against the good order of surgerie, as before time amongst the company of Barbours hath bene vled. And that all persons of the said company incorporate, and their successors, that shall be lawfully admitted and approued to occupie Surgerie, (after the fourme of the Statute of 3. H. 8. 11. shall bee exempt from bearing of Armour, or to bee put in any watches or inquestes: But euery such Surgeon, and Barbour shall pay such scot and lot, and other charges, as they and their predecessors haue accustomed to pay within the sayd Citie. And that the sayde Masters and gouernours, and their successors perely for ever, after their discretions, at their free libertie, shall and may haue and take wout contradiction iiii. persons condemned, adiudged, and put to death by the order of the lawes of this Realme, for Anotamies, without any further suite or labour to bee made to the Queene &c. for the same, and to make incision of the same dead bodies, or otherwise to order the same at their pleasure for the better knowledge and experience in Surgerie. And that at times accustomed, there shall bee chosen by the same company foure Masters or Gouvernours of the same Corporation or Company, of the which foure, two of them shall be expert in Surgerie, and the other two in Barberie, which iiii. Masters and euery of them shall haue full aucthoritie from tyme to tyme during their sayd Office, to haue the ouersight, search, and correction of all such defaultes and inconueniencies as shall be found amongst the said company vsing Barbary or Surgerie, as well of freemen, as foreins and straungers within the Citie of London and circuit aforesaid, after their discretions.

Surgeons exempt fro bearing armour, watches, and inquestes.

4 Anotamies.

4 Gouvernours of the Corporation.

No Barbores in London that vse Surgerie.

4 No person within the Citie of London, suburbs of the same, and one miles compass of the said citie, vsing any Barbary or shauing with

within the said citie, suburbs, or one mile circuit of the same citie, nor none other for him, or to his vse, shall occupie any Surgerie, letting of blood, or any other thing belonging to Surgerie (drawing of teeth onely excepted) vpon paine to forf. for euery moneth offending to the contrary v.li. to the D. and J. to be recovered by A. J. &c. wherein no W. E. P. &c. 32. H. 8. 42.

5 ¶ Whosoever vseth the misterie or craft of Surgerie within the circuit aforesaid, as long as he shall vse the same, shall not occupie the craft of barbarie or shauing, neither by himselfe, nor by any other for him to his vse, vpon the paine aforesaid. 32. H. 8. 42.

No Surgeon
shal vse h craft
of Barbarie.

6 ¶ All persons vsing Surgerie, aswel free men as forreins, and aliens, within the said Citie of London, the suburbs thereof, and one mile compasse of h said citie, shal haue an open signe on the streete side, where they shall dwel, that all h Queenes liege people there passing by, may know at al times whither to resort for their remedies in time of necessitie, vpon the paine aforesaid. 32. H. 8. 42.

Euery surgeo
shall haue a
signe at his
doore.

7 ¶ No person shall keepe any shop of Barbary or shauing within the Citie of London (except he be a freeman of the same corporati- on and company) vpon the paine aforesaid. But it is lawfull to any of the Queenes subiects not being a Barbor or Surgion, to retaine and keepe in his house, as his seruant, any Barbor or Surgeon, which shall and may vse those faculties of Barbarie & Surgerie or either of them in his Masters house, or els where, by his Masters licence or commaundement. 32. H. 8. 42.

None shalbe a
Barbor in
London but a
free man.

Ech man may
keepe a Sur-
geon or Bar-
bour for his
seruant.

1 That no Stranger, being a common Surgeon shalbe interpre- ted a handicrafts man, S. Aliens 14.

Suite of Court.

NOne that is enfeofed by deede, shalbe distrained to doe suit in the court of his Lorde, without he be specially bound thereunto by the forme of his deede (onely those except, whose auncesters or they themselves haue vled to do such suite &c.) And they that are infeoffed by deede to doe a certaine seruice, as for seruice of so many shillings by perc to be acquitted of all seruice, shall not be bound to doe such suits, or other like, contrary to the forme of their feoffment. Marlb. 52. H. 3. 9.

2 ¶ If any inheritance whereof but one suite is due, discend vnto many heires as to parceners, who so hath Enitiam partem, shall doe the one suit for himselfe, and his fellows. And other coheires shalbe contributorie for their porcion, for doing such suit. And if there be di- uers feoffees of an inheritance, whereof but one suite is due, the Lord

One suit for fe-
neral coparces-
ners or tenants.

Swannes. Tayle.

of the fee shall haue but that one suit, & shall not exact of the sayd inheritance but one suit, as hath bene vbled to be done before. And if those feoffees haue no warrant or meane which ought to acquite them, then all the feoffees, according to their porcion shalbe contributozie for doing the suit for them. Marlb, 52. D. 3. 9.

Swannes.

If any person or other to his vse, shal haue or possede any marke or game of Swannes of his owne (except hee haue landes and tenements of estate of Freeholde, to the peerely value of five Markes, above all yerely charges) then any other person being the Queenes subject, hauing lands to the yerely value of five Markes, may seyse the sayd Swannes as forfeited to the vse of the Queene & himselte 22. Ed. 4. 6.

I That it is not lawfull to take Swannes egges out of the nests, S. Hanks 3.

Tayle.

In gifts in
taile the do-
nors will shall
be obserued.

If landes bee giuen to a man and to his wife, and the heires of their two bodies begotten, with condition that if the said husband & wife do die without heire of their two bodies begotten, the lande so giuen shall reuert to the donour or his heire. Or if any man giue lande in Franke mariage, which gift hath a condition annexed (though it be not expressed in the deed of gift) viz. that if the husband and wife do die without heire of their bodies begotten, the tenement so giuen shal reuert to the donour or his heire. Or if a man giue land to one, and to the heires of his body lawfully begotten, in the foresaid cases, the will of the donour shall bee obserued, according to the forme expressed in his deepe of gift, so that they to whom the tenement is giuen upon condition haue not power to alien the tenement so giuen, whereby the same tenement shall not remaine vnto their issue to whome it was giuen after their decease, or reuert to the donour or his heire, if the donee haue no issue, or if he haue issue, and that issue die without issue. Nor the seconde husbände of such a woman shall haue any thing in such land conditionally giuen after the death of his wife, by the curtesie of Englande. Nor the issue of the seconde husbände and wife shall haue any inheritance. But immediatly after the death of the husband & the wife to whom the tenement was so giuen, the same shall reuert vnto their issue, or to the donour or his heire. West. 2. 13. Ed. 1. 1.

I That a fained recouerie had against tenant in taile of landes whereof the reuersion or remainder is in the Queene, shall not conclude

clude the heires, S. Recoueries, 2.

2 Where a fine leuied by tenant in taile, shall couclude the heire in taile, and where not, S. Fines. 14. 17.

3 That lands entailed shalbe charged to the paiement of the debts which the auncestor ought to the Q. S. Accompt to the Queene, 6.

4 Where lands entailed shalbe forf. by attainer of high treason, and what not, S. Forfaiture, 2.

5 What lease made by tenant in taile shall binde her heires, See Leases. 1. 2. S. Recoueries. 4.

6 That presentation to a Church by an vsurper during the estate of tenant in taile, shall not preiudice him in the reuersion. S. A. uowson. 1.

Tame Beasts.

Who soeuer doth maliciously, unlawfully, and willingly cut, or cause to be cut out, the tongue of any tame beast, of any other persons, the said beast then being in life, shall lose vnto the party griued treble dammages, to be recovered by A. of Trespas, and shall forf. to the Queene x. li. for a fine. 37. H. 8. 6.

Cutting out of
beasts tongues.

Tenths.

An. 27. H. 8. 27. It is enacted, that vpon all and singuler letters patentees to bee made vnder the great Seale of Englande, of any manors, landes, tenements, and hereditaments, belonging to any of the houses compysed in the acte made. 27. H. 8. (prouided for the dissolution of Monasteries and other religious houses, hauing not landes, rents, or other hereditaments, aboue the clere yeerely value of CC. li.) to the person or persons, or bodies politike, for any estate of inheritance, there should be alwaies reserued to the king, his heires & successors, a tenure by knightes seruice in Capite, and a yeerely rent of the tenth part of y^e yerely value of y^e landes to be compysed in euery such letters patents, according to such rate as the same landes &c. giuen shal be expessed to be of a yerely value in the same letters patentes, any thing or clause contained in warrant to the contrarie therof notwithstanding, and that none auerrement shalbe made or admitted by, or for the king, or any other person, that the manors, landes, and tenements, be of more yerely value then in the same letters patents shalbe declared.

A tenth reserued
vpon abas-
bey landes.

2 An. 33. H. 8. 39. It is enacted, that if any person, or body politike, to whome the king hath by his letters patentees vnder his great seale, or seale of the Court of Augmentations, giuen, or shall giue

A remedy for
the Tenths
detayned.

with reservation of rent, any landes, Tenementes, rectories, or other hereditaments, which were or shalbe in the order and suruey of any of the Courtes of his Eschequer, Duchy of Lancaster, Augmentations, surueior generall, master of the wardes & liueries, or Court of the first fruits & tenthes, to be had to them & to their heires, or successors, or for any other estate of inheritance, or for terme of life or liues, yeelding & reseruing to the King, his heires or successors one yerely rent at one certaine day or feast, in the same letters patents expressed, & to be paid in the same courts, that if the same persō, body politike, his heires, successors, or Assignes, or any of them doe not truely pay vnto the Treasurers, or to the generall or particular Receiuer of the same seuerall Courtes assigned for the same, to the vse of the king, at the day or feast limited by the same letters Patents, or within thre monethes next after all such summes of money reserued by the same letters patents, or make sufficient tender thereof to the said Treasurer, or generall or particuler receiuer: that thē the same person, body politike, his heires, successors, or Assignes, for default of payment thereof, to forf. to the king, his heires and successors, as much money as the fourth part of the same rent reserued for one yeere doeth amount vnto, in the name of a paine, aboue the same rent reserued. And if he, his heires or Assignes do not pay or tender the rent within halfe a yeere after the day expressed in the letters patents, and also the sayde money forf. in the name of a paine, then hee shall forf. to the king so much money as the moitie of the rent reserued for one yeere doeth amount vnto, besides the rent reserued, and so to forf. for euery halfe yeere after, so much money as the whole rent reserued for one whole yeere doeth amount vnto, for the which rent, arrerages, and paine, the said Treasurer and receiuor may distraine, and the head officer of the court vpon certificate, may award forth proces against the offendor for the rents and forfaytures. And if any person pay the said tenth, and bring an acquittance, the Treasurer or Receiuor after the receipt thereof, shall signe the acquittance without taking any thing therefor, vpon payne of forfayture of xl.s. and if the partie bring no acquittance, but that the Treasurer or Receiuor doe make and signe one, hee shall take but iiii.d. vpon payne of forfayture xl.s. 33. H. 8. 39.

A confirmation
of Patentes,
though the
tenth bee not
reserued.

3 **A**ll letters patents made by king H. 8. sithence 4. Febru. An. 27. of his raigne, and by king Ed. 6. sithence 28. Januarii. An. 1. of his raigne, of bargaines, sales, giftes, exchanges, or otherwise, and sealed with the great seale of England, or with the great seale of the Duchy of Lancaster, shall be good, perfect, and auailable to all intents, and purposes, according to the saide letters Patentes, the nonage of the sayde

354
said king Ed. 6. as Duke of Lancaster, the lacke or losse of the parti-
culers or bill assigned of the patents, or any act, statute or lawes, for,
or concerning any tenures, reservation of rents, or tenthes, to the con-
trary notwithstanding. 7. Ed. 6. 3.

1 Which Ecclesiastical persons shall pay tenths, and vpon what
paine. S. Ecclesiastical. 28, 29.

2 That Tenths shall bee paid out of the landes of Colledges,
Chauntries, Freechappels, &c. S. Monasteries. 27.

Tenure.

A Lands, tenements, & other hereditaments holden of y^e Queene
&c. by Knights seruice, Socage or otherwise, as of any of her
Dukedomes, Earledomes, Baronies, Castels, manors, landes, tene-
ments, fees, or seigniories, which bee come to the Queene or her pro-
genitors, or hereafter shall come to her, her heires or successours, by
meanes of any attainder, conuiction, outlawry, or of any dissolution,
surrender, or giuing vp, of any religious or ecclesiasticall houses or
places, or of any landes, tenements, or hereditaments, to any of y^e sayd
houses or places belonging, shall not be adiudged to any intent to bee
holden in Capite, or as tenure in Capite. 1. Ed. 6. 4.

No tenure in
capite by reaso
of lands com
ming to y^e Q.
by attainder or
other title.

2 This act shall not bee prejudiciall to the Queene &c. concer-
ning any wardship, liuerie, primer seison, fine for alienation, or for a-
ny other profit comming to her from any person holding any landes,
tenementes, or other hereditamentes of her grace in chiefe, as of her
person, or of any other her auncient possessions, & being not come to
her by any such attainder, conuiction, outlawry, dissolution, giuing
vp, or surrender, as be abovesaid. 1. Ed. 6. 4.

Tenure of the
Queene in
chiefe as of
her person.

3 This act shall not giue any libertie or profite to any ternaunt
or owner in fee simple, of any landes, tenementes, or other heredita-
ments, which haue heretofore sued any speciall or generall livery, or
Ouster le maine, out of the hands of the Queene, or of any her proge-
nitors of any landes &c. by what tenure or seruice they were or be hol-
den, or that haue, or shall confesse by any matter of recoorde, any tenure
in chiefe of the Queene, but they, their heires and assignes shal haue
and holde the same landes &c. in like maner, as they did before the ma-
king of this act &c. 1. Ed. 6. 4.

Conclusion of
tenure by
matter of Rec-
corde.

4 Where any Inquisition or Office shall bee founde by these
woordes or like, Quod de quo, vel de quibus tenementa prædicta
tenetur, Iuratores prædicti ignorant, or els found holden of y^e Queene
Per quæ seruicia ignorant, or such like, in such case, such tenure so vn-

Tenures vn-
certainely
found by office.

certainely founde, de quo vel de quibus prædicta tenementa tenentur ignorant, shall not be taken for any immediat tenure of the Q. nor such tenure so founde of the Queene, Per que seruicia ignorant, shall not bee taken any tenure in Capite, but in such cases a Melius inquirendum shall be awarded, as hath beene accustomed in olde time, 2. Ed. 6. 8.

The feoffee shall hold of þe chiefe Lord, & not of the feoffor.

5 ¶ It is lawfull for every freeman to sell his landes, or tenements, or part thereof at his owne will, so that hee which is enfeoffed shall holde the same land or tenement of the chiefe Lord of y same fee, by the same seruices & customes whereby his feoffor helde before. And if he sel part of his land to any man, the feoffee shall hold immediatly of the chief Lord, and shall be forthwith charged with so much of the seruices, as doth or ought to belong to the chiefe Lord for that parcel, according to the quantitie of the lande solde, and so in this case the same part of the seruice shall remaine to the Lord, to be taken by the hands of the feoffee, for the which he shall be attendant to the Lord according to the quantity of the land sold for the parcel of the seruice due. But this statute extendeth only to lands sold, which bee holden in fee simple, West. 3. 13. Ed. 1. Quia emptores terrarum.

A tenure in capite reserved vpon certaine Abbeys lands.

6 ¶ Anno 27. H. 8. 27. It is enacted, that vpon all and singuler letters patents to be made vnder the great seale of Englande of any manors, lands, tenements, & hereditaments (belonging to any of the houses comprised in the act, provided 27. Hen. 8. for the dissolution of Monasteries, & other religious houses, hauing not landes, rents, or other hereditaments, aboue the clere yerely value of CC. pounce, and committed to the suruey of the court of Augmentations to any person or persons, or bodies politike) for any estate of inheritance, there shall be alwaies reserved to the king, his heires & successors, a Tenure by knightes seruice in capite, any thing or cause contained in warrant to the contrary thereof notwithstanding. After by the statute made 35. H. 8. 14. and 37. H. 8. 20. It was provided, that the said king H. 8. might at his pleasure during a certaine time reserve vpon his letters patents graunted of certaine landes in the said statutes mentioned, (not exceeding the yerely value of xl. s. which were belonging to any of the forenamed dissolved Monasteries) certaine other tenures, and not in Capite.

The patents of H. 8. & Ed. 6. confirmed notwithstanding the commission of tenures.

7 ¶ But by the statute of 7. Ed. 6. 3. It was ordained, that all letters Patents made by king H. 8. sithence 4. Februarii, Anno 27. of his Raigne, and by king Edward 6. sithence 28. Januarii, Anno. 1. of his Raigne, of bargaines, sales, giftes, exchaunges, or otherwise, sealed with the great seale of England, or with the great seale of the Duchy

Duchy of Lancaster, shalbe good, perfect, and available to all intents and purposes, according to the said letters patents, the nonage of the said king Ed. 6. as Duke of Lancaster, the lacke, or losse of the particulars, or bill signed of the patentees, or any act, statute, or lawes, for or concerning any tenures, reservations of rentes, or tenthes, to y^e contrary notwithstanding. 7. Ed. 6. 3.

1 What tenure of the Queene doth drawe to her wardship, and what not. S. Wardes 18.

2 That he which holdeth his land by new Escheate of the Queen, holdeth not in Capite. S. Prerogative 8.

3 That ech Coparcener of lands holden of the Queene in Capite, shall have part of the same landes, and hold by the same tenure, S. Particion 1. Prerogative 6.

Tyles.

Every person which shall use the occupation of making of chacke Tyle, rouse tile, crest tile, corner tyle, or gutter tyle, shall make it good, seasonable, able, sufficient, and well whited & annealed, & the grounde whereof any such tyle shalbe made, shalbe digged & cast up, before the first day of November next before that they shalbee made, & the same earth shalbe stirred and turned before the first day of February then next following, and the same earth before it be put to making of Tyle, shall be truly wrought and tried from stones, and also the waynes called Hayline, or Harle, and Chalke, (lying commonly in the grounde neere to the lande convenient to make tyle) after the digging of the sayd ground, whereof any such Tyle shalbe made, shal bee well and truly seuered, and cast from the earth whereof any such tile shalbe made. 17. Ed. 4. 4.

The preparatio
tio of y^e earth
for y^e making
of tyle.

2 Every such plaine Tile shal containe in length x. ynches and a halfe, and in breadth. vi. ynches and a quarter, and in thicknesse halfe an ynch & halfe a quarter at the least, and every such rouse tile or crest tile, shal containe in length xiii. ynches, & the thicknes of halfe an ynch & halfe a quarter at the least, with convenient deepnes according, and every gutter tyle and cover tile shall containe in length x. ynches and a halfe, with convenient thicknes, bredth, and depth, according. And if any person set to sale any such tile made against the foresaide ordinance, then the seller shall forf. to the buyer the double value of y^e same tile, & besides shal make fine to the Queene at her pleasure, and every person that feeleth himselfe grieved and wil sue, shal have an accio of debt against the offenders, & the plaintife (if it be found to him) shal recover his costs &c. wherein no Al. E. p. &c. 17. Ed. 4. 4.

The length,
breadth, & thick
nes of tyle.

Justices of p.
shal heare and
determine the
offences of tile
making.

3 ¶ The Justices of peace within any Countie of this Realme and euery of them, haue power to enquire, heare, and determine the defaults and offences done against this Acte, and if it be found or may appeare to the sayd Justices, or any of them, by examination, or otherwise by their discretions, that any person hath offended contrary to this Act, then the same Justices shall assesse vpon the offenders no lesse fine, then for euery thousand of plaine Tile set to sale contrary to this Act v.s. and for euery hundred of rouse Tile vi.s.viii.d. And for euery hundred of corner Tile, or gutter Tile ii.s. And if lesse be put to sale or solde, lesse fines shalbe payd therefore, according to the rate thereof, by the discretion of the sayd Justices, or any of them.
17.Ed.4.4.

Searchers of
Tyle.

4 ¶ And the same Justices haue power to call before them, or any of them, such, and so many persons, as shall haue best experience or knowledge in the occupation of making of Tyle, to search and examine the digging, casting, turning, parting, making, whitening, and annealing aforesayd. And they which so shall be assigned searchers, shall haue power to make such search. And no person shall put such tile to sale, before it be searched by the sayd searchers, vpon payne of forfeiture of the same. And if the same searchers or any of them doe finde that any person exercising the occupation of Tyle making, doe offend contrary to this ordinance, then they shall present such defaults before the said Justices at their next sessions, & euery such presentment shall be as effectual in the law, as the presentment of xii. men. 17.Ed.4.4.

The Searchers fee and
duetie.

5 ¶ And such searchers shall haue of euery Tyle maker for euery thousand of plaine Tile searched, a peny, of euery hundred rouse tile, ob. and of euery hundred corner tile & gutter tile a farthing. And the same searchers shall doe their effectuell diligence in this behalfe, according to this ordinance, vpon payne of forfe. to the Ducene for euery default x.s. 17.Ed.4.4. S. Iustices of peace, 97.

Tythes, Oblations &c.

A decree for p
payment of
tythes in Lon
don and the
liberties.

Such order and direction as was made and decreed by the Archbisshop of Canterbury, and certaine Lordes and Knights to whom aswel the Parsons, Vicars, and Curates of the Citie and liberties of London, as the Citizens and inhabitants of the same did comppmit, and put themselves, concerning the payment of Tythes, Oblations, and other dueties, within the sayd Citie, and liberties of the same, and is enrolled in the Chauncery of Recorde, shall be as an Act of Parliament, and shall binde aswell all Citizens, and inhabitants of the said Citie & liberties, as the Parsons, Vicars, and Curates, and their

their successors for ever, according to the purport and intent of the said order and decree, which decree is as followeth. 37. H. 8. 12.

2 ¶ The Citizens and inhabitants of the Citie of London and liberties of the same, shall yeerely without fraud for ever, pay their tythes to the Parsons, Vicars, and Curates of the said Citie, & their successors after the rate following, viz. of every x. s. rent by the pere of all houses, shops, warehouses, sellers, and stables, and euery of them within the said citie, and liberties of the same xvi. d. ob. And of euery x. s. rent by the pere. ii. s. ix. d. and so aboue the rent of x. s. by yeere, ascending from x. s. to x. s. according to the rate aforesayd.

The decree.

A house rented at x. s. shal pay xvi. d. ob. for tythe.

3 ¶ Where any lease hath bene, or shalbe made of any dwelling house or houses, shops, warehouses, sellers, or stables, by fraude, reseruing lesse rent then hath bene accustomed, or without any rent reseruing by reason of any fine payed before hand, or by any other fraud, then the fermor thereof shall pay for his tythes of the same after the rate aforesaid, according to the quantitie of such rent, as the same houses, shops, warehouses, sellers, or stables, or any of them were last letten for, before the making of such lease.

Leases reseruing no rent, or lesse then hath bene accustomed.

4 ¶ Euery owner or inheritour of any dwelling house, warehouse, seller, stable, and shoppe within the said Citie or liberties, inhabiting or occupying the same himselfe, shal pay after such rate of tythe, as is abouesaid, after the quantitie of such yeerely rent, as the same was last letten for.

Owners inhabiting their owne inheritance.

5 ¶ If any person shall take any mease or mansion place by lease, and the taker thereof, his executors or assignes shall inhabite in part thereof, and shal let out the residue, then the first taker, his executors or assignes shall pay his tythes after the rate aforesayd, according to his quantitie therein. And his assignes shall pay their tythes after the rate abouesaid, according to the quantitie of their rent by pere. And if any person shall take diuers mansion houses, shops, warehouses, sellers, or stables in one lease, and shall let out one or more of them, and keepe one or more in his owne hands, and inhabite in the same, then he shall pay his tythes after the rate abouesaid, according to the quantitie of the yeerely rent of such house or houses retained in his hands. And his assigne or assignes of the residue shall pay his or their tythes after the rate abouesaid according to the quantitie of their yeerely rentes.

Taking scrues of all things by lease & letting part thereof.

6 ¶ If any fermor or his assignes of any mansion house or houses, warehouses, shops, sellers, or stables, shall let ouer all the same contained in his lease to one or diuers persons: Then the inhabitants, lessees, or occupiers of them, and of euery of them, shall pay their tythes after the rate of such rents, as the inhabitants, lessees, or occupiers

The tenant of severall houses assigneth all the same.

Tythes &c.

occupiers, and their assignes shalbe charged withall.

**In dwelling
house made a
warehouse, or
storehouse
& econuerſo.**

7 ¶ If any dwelling house (within viii. yerres before this decree) was, or hereafter shalbe conuerted into a warehouse, storehouse, or such like, or if a warehouse, or storehouse, or such like within the foresaid time was, or shalbe conuerted into a dwelling house: Then the occupiers thereof shall pay tythes for the same, after the rate aboue declared of mansion house rents.

**Dyehouse or
Brewhouse
with stocke.**

8 ¶ Where any person shall demise any Dyehouse, or Brewhouse, with implements conuenient for dying or brewing, reseruing a rent vpon the same, aswell in respect of such implements, as of such dyehouse or brewhouse: Then the tenant shall pay his tythes after such rate as is abouesaid, the third peny abated. And euery principal house with Key or Wharfe, hauing any Crane or Gibit belonging to the same, shall pay after like rate of their rents as is aforesaid, the third peny abated. And other Wharfes belonging to houses hauing no Crane or Gibit, shall pay for their tythes, as shalbe payed for mansion houses, in forme abouesaid.

**House with
key or wharfe.**

**In house with
other things
occupied toge-
ther and after
seuered.**

9 ¶ Where any mansion house with a shoppe or stable, warehouse, Wharfe with Crane, Timber yard, Teinter yard, or Garden belonging to the same, or as parcell of the same, is, or shalbe occupied together, if the same be after seuered: Then the fermor or fermors, occupier or occupiers thereof, shall pay such tythes, as is abouesaid for such shops, stable, warehouses, wharfes with Crane, Timber yarde, Teinter yarde, or Garden so seuered, after the rate of their seuerall rents thereupon reserued.

**Citizens shall
pay their
tythes quar-
terly.**

10 ¶ The sayde Citizens and inhabitants shall pay their tythes quarterly, viz. at the feast of Easter, the Natiuitie of Saint Iohn Baptist, the feast of Saint Michael the Archangell, and the Natiuitie of our Lord by euen porcions.

**iiii. Offering
dayes.**

11 ¶ Euery housholder paying x.s. rent or aboue, shall for him or her selfe, be discharged of their 4. offering dayes, but his wife, children, seruant, or others of their family taking their rights of y^e Church at Easter, shall pay two pence for their iiii. Offering dayes perely.

**In house of x.s.
rent deuided
into small
parcels.**

12 ¶ If any house which hath bene or shall be letten for x.s. rent by the yeere or more, be, or within viii. peeres before this decree hath bene, or shalbe deuided and lessed into small parcels, yeelding lesse perely rent then x.s. by yeere: Then the owner (if he dwell in any part of such house) or else the principall lessee, if the owner doe not dwell in some part of the same, shall pay for his tythes after such rate of rent, as the same house was accustomed to be letten for, before such deuision. And the vnder fermor and fermors to be discharged of all tythes

Tithes Act 1534

334

tithes for such smal parcels rented at lesse perely rent then x.s. paying ii.d. a peece perely for their iiij. offering dayes.

13 ¶ For such Gardens as appertaine not to any mansion house, Gardens. and which any person shall hold in his handes for pleasure, or to his owne vse, the person so holding the same shall pay no Tythes for the same. But if any person which shall hold any such garden, containing halfe an acre or more, doth, or shall make any perely profite thereof by way of sale, then he shall pay Tythes for the same after such part of his rent, as is herein first aboue specified: But if any such gardens now (vz. at the time of þe decree made) being of the quantitie of halfe an acre or more, be hereafter by fraude deuided into any lesse quantitie, then to pay Tithe according to the rate abouesaid.

14 ¶ This decree shall not extend to the houses of great men, or The houses of noble men and Companies. Noble men, or Noble women, kept in their owne handes, and not letten for any rent, which in time past hath payed no tithes, so long as they shal so continue vnletten. Nor to any Halles of Crafts, or Companies, so long as they be kept vnletten, so þe the same Halles in time past, haue not vsed to pay any Tythes.

15 ¶ This decree shall not charge any sheds, stables, sellers, timber Sheds, stables, sellers, timber parden, teinter parden. parden, ne tainter parden, which were neuer parcell of any dwelling house, ne belonging to any dwelling house, ne haue accustomed to pay any Tythes, but the Citizens and inhabitants thereof shall be quitte of payment of tithes as hath bene vsed.

16 ¶ Where lesse summe then after xvi.d. ob. in the x.s. rent, or lesse by custome then xvi.d. ob. in the x.s. rent. then ii.s. ix.d. in the xx.s. rent hath bene accustomed to bee payed for tithes, then in such places the sayd Citizens and inhabitants shall pay but onely after such rate as hath bene accustomed.

17 ¶ If any variance shall arise in the sayde Citie for non payment of any Tythes, or if any variance or doubt arise vpon the true knowledge or deuision of any rent, or tithes within the liberties of the said Citie, or of any extent or assessement thereof, or if any doubt arise vpon any other thing contained within this decree: Then vpon complaint made to the partie griued, to the Maior of London for the time being, the said Maior by the aduise of Counsell, shall call the said parties before him, and make a finall ende in the same, with costes to be awarded by the discretion of the saide Maior and his assistants, according to the true intent of this decree. And if the said Maior make not an ende thereof within two moneths after complaint to him made, or if any of the said parties finde themselves griued: Then the Lorde Chauncelloz vpon complaint to him made within three moneths then next following, shall make an ende in the same, with such

such costes to be awarded, as shalbe thought conuenient, according to the intent of this decree.

Tenements
let for a small
rent by reason
of decay.

18 ¶ If any person take any tenement for a lesse rent then it was accustomed to be letten for, by reason of any great decay, burning, or such like occasions or misfortunes, then he shall pay tythes onely after the rate of the rent reserued in his lease, and no otherwise, as long as the same lease shall endure.

Refusors to
pay tythes
according to
the decree.

19 ¶ Every person denying to pay any of his tithes, oblations, or other dueties, contrary to the said decree, shall by the commandement of the Maior of London, and in his default or negligence, by the Lord Chaunceloz, be committed to prison, there to remaine till he hath agreed with the Curat for his said tithes, oblations, and other dueties, as is aforesaid. 37. H. 8. 12.

Tythes shalbe
payed accord-
ing to the
custome of the
Parish
where &c.

20 ¶ All persons of y^e Queenes dominions, shall fully & truely see out, or pay all & singuler tithes & offerings, according to the lawfull customes of the Parishes and places where such tithes or dueties shal grow, arise, or be due. And in case any person of his peruerse wil, shall withholde any of the said tithes or offerings, or part thereof, then the partie being ecclesiasticall or lay person hauing cause to demaund or haue the same, being thereby wronged or grieued, shall and may conuent the offendor before the Ordinarie, his commissary, or other competent minister, or lawfull Judge of the place where such wrong shall be done, according to the ecclesiasticall lawes. And in euery such case the same Ordinarie &c. hauing the parties, or their lawfull procura- tors before him, shall and may proceede to the examination, hearing, and determining of euery such cause ordinarily or summarily, according to the course and proces of the ecclesiasticall lawes, and thereupon may giue sentence accordingly. 32. H. 8. 7. 37. H. 8. 20.

The offendor
conuented
before the
Ordinarie.

The appellant
shal pay cost
of suite to the
other part.

21 ¶ And in case that any of the parties for any cause concerning that suit, do appeale from the sentence of the said Ordinarie or Judge: Then the same Judge forthwith shall adiudge to the other partie the reasonable costes of his suit therein before expended, and shall compell the appellant to pay the same costes by compulsoy proces of the sayd ecclesiasticall lawes, taking suertie of the other partie to restore the same costes to the appellant, if after the principall cause of that suite of appeale shalbe adiudged against the same partie, to whome the said costes shalbe yeluen. And so euery competent Judge ecclesiasticall shal adiudge costes to the other partie, vpon euery appeale made in any suit or cause of subtraction or detention of any tithes or offerings, or in any other suit made, for or concerning the duetie of such tithes or offerings. 32. H. 8. 7.

Suertie to re-
pay costes to
appellant, if
the cause be
adiudged for
him.

22 **C** If any person after such sentence definitiue giuen against him, obstinately refuse to pay his tithes or dueties, or such summes of money so adiudged, wherein he is condemned for the same: Then two Iustices of the peace of the same shire (whereof one to be of the Quorum) haue aucthoritie vpon Information, Certificate, or complaint to them made in wꝛiting by the ecclesiasticall Iudge that gaue the same sentence, to cause the same person so refusing, to be attached and committed to the next gaole, and there to remaine without bayle or mainprise, vntill he shall haue found sufficient suerties, to be bound by recognisance or otherwise befoze the same Iustices to the vse of the Queene to perfoyme the said sentence. 32.H.8.7. And in like sort may any one of the Queenes Counsell, or two Iustices of peace, vpon an information and request made to them by the Ordinarie, commit any offender to ward, for any contempt, contumacy, disobedience, or any other misdemeanoꝝ of his, in any suit for subtraction of tithes, offerings, or other dueties of the Church, vntill he hath found suerties &c. vt supra. 27.H.8.20.

The offender bound by two Iustices to obey the Ordinaries sentence.

23 **C** In all cases where any person shall haue estate of inheritance, freehold, terme, right, or interest, of, or in any parsonage, vicarage, poꝛcion, pension, tithes, oblations, or other ecclesiasticall profit, made temporall, or admitted to abide in temporall hands, and lye vles by the law or statutes of this Realme, shalbe disseised, wronged, or otherwise kept or put from his lawfull inheritance, estate, seisin, possession, right, or interest, of, in, or to the same, or any parcell thereof, by any other pretending to haue title to the same: Then he, his heires, wife, and such other, to whome such iniurie shall be done, shal & may haue their remedy in y^e Queenes or other temporal Courts as the case shall require, for the recouery of the same by writs originall of Præcipe quod reddat, Assise of Nouel disseisin, Mortdaunceſſor, Quod ei deforciat, writs of Dower, or other writs originall as the case shall require, deuised and granted in the Chancery, of euery such Parsonage, Vicarage, poꝛcion, pension, or other profite called ecclesiasticall or spirituall so to be demanded according to the nature & cause of the suite thereof, in like maner & forme, as he should, might, or ought to haue had, of, or for landes, or other hereditaments in such maner to be demanded: And writs of couenant, and other writs for fines to be leuied, and all other assurances to be made or conueted of any such Parsonage, Vicarage, poꝛcion, pension, or other profit called ecclesiasticall or spirituall, shalbe deuised and granted in the said Chauncery, according as hath bene vſed for fines to be leuied, and assurance to be made of landes, tenements, or other hereditaments. And all iudgements

Recouery and conueyance in a temporall court of tithes and other spiritual lining.

ments to be giuen vpon any of the sayde writs originall for any the premisses, and al fines to be leuied in any of the Queenes said Courtes thereof, shalbe of like effect in the law to all intents, as iudgements giuen and fines leuied of lands &c. in the same courtes vpon writtes originall thereof duely pursued. 32. H. 8. 7.

Tithes & of
frings shalbe
onely recou-
red in the spi-
rituall court.

24 ¶ But this Act shall not giue any remedy or cause of action in the Courtes tempozall, against any person which shall refuse to set out his Tythes, or which shall withholde or refuse to pay his Tythes or offerings. But the partie hauing cause to demand the same, shal take his remedy for them in euery such case in the spirituall Courtes, according to the ordinance aforesaid. 32. H. 8. 7.

Setting forth
or paying of
predial tithes.

25 ¶ Every of the Queenes subiects shall truely and iustly without fraude or guile, deuide, set out, yelde, and pay all maner of their predial tithes in their proper kinde as they rise & happen, in such manner and toyme, as hath bene of right ycelved & payed within xl. yeres, next before the making of this act (being 4. Nouem. An. Do. 1548) or of right or custome ought to haue bene payed. And no person shall take or carry away any such or like tithes which haue bene ycelved or paied within the said xl. yeres, or of right ought to haue bene payed in the place or places tithable of the same, before he hath iustly set forth for the tithe thereof the tenth part of the same, or otherwise agreed for the same tithes with the Parson, Vicar, or other owner, proprietarie, or Fermor of the same Tithes, vnder the paine of forfaiture of treble value of the tithes so taken or carried away 2. Ed. 6. 13.

The Parson
may carry a-
way his tithe.

26 ¶ At all times whensoever the said prediall Tithes shalbe due at the tithing time of y same, it shalbe lawful to euery partie to whom any of them ought to be payed, or his deputie, or seruant, to see their said tithe to be truely set forth, and leuered from the ninth partes, and the same quietly to take and carrie away. 2. Ed. 6. 13.

Carrying the
corne or hay
before tithe be
set forth, or let-
ting the Par-
son to take his
tithe.

27 ¶ If any person carry away his corne or hay, or his other prediall tithes, before tithe thereof be set forth, or willingly withdraw his tithes of the same, or of such other things wherof predial tithes ought to be paied, or do stoppe or let the parson, vicar, proprietarie, owner, or other their deputies or fermors, to view, take, & carry away their tithes, by reason wherof the said tithe or tenth is lost, or hurt: Then vpon due prooffe thereof made before the spiritual Iudge or any other Iudge, to whom heretofore he might haue made complaint, the party so carrying away, withdrawing, or letting, shall pay y double value of the tenth, or tithe so taken, lost, withdrawn, or caried away, besides the costs, charges, & expences of y suite in y same, y same to be recouered before the ecclesiastical Iudge according to y Ecclesiastical lawes. 2. E. 6. 13.

28 ¶ Every

28 ¶ Every person which shall haue any beastes or other cattell tithable going or feeding in any waste or common ground, whereof the parish is not certainly known, shall pay his tithes for the increase of the said cattell to the parson, vicar, proprietary, portionary, owner, or other their fermor or deputies of the parish, hamlet, towne or other place where the owner of the said cattell dwelleth. 2. Ed. 6. 13.

The tithes of cattell feeding in any waste ground, whereof the parish is not known.

29 ¶ All such barren heath, or waste ground (other then such as be discharged for the payment of tithes by act of Parliament) which before this time hath bene barren, and paid no tithes by reason of such barrenness, and shall be employed, and converted into airable ground or medowe, shall after the ende of vii. yeeres next after such improvement, pay tithes for the corne and hay growing upon the same. But if any such barren, waste, or heath ground hath before this time bene charged with the payment of any tithes, and the same be after employed, and converted into airable ground or medowe, Then the owner thereof shall during vii. yeeres next following from and after the same employment, pay such kinde of tithes as was paid for the same before the said employment. 2. Ed. 6. 13.

The tithes of barren heath, or waste ground.

30 ¶ Every person exercising marchandizes, bargaining, and selling, clothing, handicraft, or other arte, or faculcie, being such kinde of persons, and in such places as heretofore within these xl. yeeres haue accustomed to pay such personall tithes, or of right ought to pay (other then such as be common day laborers) shall yearly at, or before Easter, pay for his personall tithes (the tenth part of his cleere gaires, his charges and expences according to his estate therein deducted.) But in all such places where handicraftsmen haue used to pay their tithes within these forty yeeres, the same custome of payment of tithes shall be observed and continue 2. Ed. 6. 13.

Merchants & handicraftsmen shall pay the x. part of their gaires.

31 ¶ If any person refuse to pay his personall tithes in forme aforesaid: Then it shall be lawfull to the Ordinary of the same diocess where the said party is dwelling, to call the same party before him and by his discretion to examine him by all lawful and reasonable meanes (other then by the parties owne corporall othe) concerning the true payment of the said personall tithes. 2. Ed. 6. 13.

The Ordinary may examine him which refuseth to pay his personall tithes.

32 ¶ Every person which ought to pay offerings, shall yearly truly pay them to the parson, vicar, proprietary, or other deputies or fermors of the parish where he shall dwell or abide, at such 4. offering dayes, as at any time within the space of 4. yeeres last past, (being 4. Nouembrys, An. Do. 1548) hath bene accustomed for the payment of the same. And in default thereof, to pay for the said offerings at Easter then next following. 2. Ed. 6. 13.

Payments of offerings.

Tith of fish.

33. ¶ This act shall not extend to any Parish which stands upon and toward the sea coastes, the commodities and occupying whereof consisteth chiefly in fishing, and haue by reason thereof vled to satisfie their tithes by fish. But euery such Parish shall pay their tithes according to the lawdable customes as they haue heretofore of auncient time within this xl. yeeres vled, and shall pay their offerings as is aforesayd. 2. Ed. 6. 13.

Suites for withholding of tithes shall be in the ecclesiastical court, and not els where.

34. ¶ If any person do withdraue any tithes, obuentions, profits, or other dueties before mencioned, or any part thereof contrary to the true meaning of this or any other act heretofore made, then the partie withdrawing may or shall be conuenced and sued in the Queenes ecclesiasticall Court, by the partie from whome the same shall be withdrawn, to the intent the Queenes Judge ecclesiastical, shall and may then and there heare & determine the same, according to the Queenes Ecclesiasticall lawes. And it shall not be lawfull vnto the Parson, Vicar, proprietary, owner, or other their fermors or deputies, contrarie to this act, to conuent, or sue such withholder of tithes, obuentions, or other dueties aforesaid, before any other Judge then ecclesiasticall. 2. Ed. 6. 13.

The offender disobeying the Judges sentence shall be excommunicate.

35. ¶ If any Archbishop, Bishop, or other Judge ecclesiasticall giue any sentence in any of the foresayd causes of tithes, obuentions, or other dueties aforesaid, (and no appeale ne prohibition hanging) if the partie condemned do not obey the said sentence: Then it shall be lawfull to euery such Judge &c. to excommunicate the said party condemned, and disobeying, in the which sentence of excommunication, if the said partie excommunicate wilfully endure still excommunicat by the space of xl. dayes next after, by denunciation & publication thereof in the Parish Church of the place or parish where the partie so excommunicate is dwelling or most abiding, the said Judge may then at his pleasure signifie to the Chauncerie the state and condition of the sayd partie so excommunicate, and thereupon require proces De excommunicato capiendo, to be awarded against him. 2. Ed. 6. 13.

Excommunicato capiendo. Of what things the Judge ecclesiasticall shall not hold plea.

36. ¶ This act shall not giue any minister or Judge ecclesiasticall any iurisdiction to holde plee of any thing being contrary or repugnant to the effect or meaning of the statute of Westminster 2. 5. the statutes of Articuli cleri, Circumspect agatis, Silua Sedua, the treatise de Regia prohibitione, ne against the statute of 1. Ed. 3. 10. or any of them, ne yet to holde plee in any matter whereof the Queenes Court of right ought to haue iurisdiction. 2. Ed. 6. 13. S. 38, 39. S. Prohibition. 1. 2. 3. 4. 5. 6.

37. ¶ The foresaid statute of 27. H. 8. & 32. H. 8. shall not extend to

to any inhabitant of the Citie of London, and suburbs of the same for the payment of their tithes and offrings, neither the statute of 2. Edwardi sexti shall extend to the inhabitants of the Citie of London London. and Canterbury, & the suburbs of the same, nor to any other Towne Canterbury. or place that hath used to pay their tithes by their houses, otherwise then they ought or should haue done before &c. 27. H. 8. 20. 32. H. 8. 7. 2. Ed. 6. 13.

38 ¶ If any person do erect a new Mill in his ground, he shal pay Windmills. tith for the same, Articuli cleri. 9. Ed. 2. 5. S. Prohibition 6.

39 ¶ If a man do sel great wood of y age of xx. yerres or aboue, no tith shalbe paid therefore. 45. Ed. 3. 3. S. Prohibition 5.

Silua Sedua.

40 ¶ Euery person and persons, their heires, and assignes, ha-
uing any Monasteries, Priories, Nunries, Colledges &c. or other
ecclesiasticall houses or places &c. or any manours, measuages, per-
sonages appropriat &c. or other hereditaments which belonged un-
to the sayde Monasteries, Priories &c. which were discharged of and
for the payment of tithes being in the handes of the Abbots, Priors
&c. or other ecclesiasticall gouernors, shall haue and enioy euery of the
sayde Monasteries, Priories, landes, tenements, and other heredi-
taments, according to their estates and titles, discharged of payment
of Tithes, in as ample maner as any of the sayde Abbots, Priors &c.
or other ecclesiasticall gouernors helde or enioyed the same at y daies
of their dissolution, or comming to the hands of king H. 8. of the same:
31. H. 8. 13.

Certain abbey
lands dischar-
ged of tithes.

41 ¶ No tithes of marriage goods shalbe required of any person
within Wales, or the Marches thereof. Neither shall any person be
compelled to pay tith for the landes or hereditaments which by the
lawes and statutes of this realme, or by any priuiledge, or prescription
are not chargeable with the payment thereof, or that be discharged
by composition real. 2. Ed. 6. 13.

Tithes of
marriage goods
in Wales.
Discharge of
tithes by pres-
cription or
composition.

1 That where money for tithes is demaunded in a spirituall court
the Q. prohibition doth lie, S. Prohibition 1.

2 Where vpon suit for tithes in an Ecclesiasticall court a prohibi-
tion is grauntable, and where a Consultation, S. Prohibition 10.

¶ Tolle.

If any do take any outrageous tolle contrary to the custome of the
realme in a market towne which is the Queenes towne and let
to fee farme, the Queene shall seise the fraunchise of the market into
her owne hand. And if it be an other towne, that and be done by the
Lord of the towne, the Q. shal do in like sort, and if it be done by a bai-
life

Excessive tolle
taken in cities
or townes.

¶ x. l.

life

life of any meane officer without the commaundement of his Lorde, he shall restore to the plaintife for his outrageous taking, so much as he hath receiued of him if he hath carried away the toll, and shalbe imprisoned xl. daies. West. 1. 3. Ed. 1. 30.

Toll at mille.

2 **T**oll at mill shall be taken according to the custome of the Realme, & the strength of the course of the water, as of the xx. cozne of the xxiii. cozne, and the measure wherby tolle shalbe taken, shal agree with the Queenes measure, and it shalbe taken by the strikel, and not by heape, and if the fermors do find to the millers things necessarie for them, they shall take but their due tolle, and if they do otherwise they shall be punished. 3. Ed. 1. Statut. de vitellariis.

1 When, where, and of whom toll for horses shall be taken in a faire or market, S. Faires &c. 5.

2 In what cales it is not lawfull to take tolle of fish brought into this realme. S. Shippes 2.

3 That Aliens made denizens, shall pay such tolles as they did before. S. Aliens. 3.

Townes.

A provision
for the repaire
of houses in
certaine great
townes.

If any person or persons, or bodies politike being owners or possessorers of any desolate or voyd groundes, that at any time within xlv. yerres next before the making of this act (being 16. Januarie An. Do. 1541.) have bene builded for houses or habitation, or for any house or houses of habitation nowe or hereafter being in decay and not fully fallen downe, within the lyberties and precinctes of any of the boroughes, townes, and places within the walles, and lyberties of the Citie of Caunterburie, the citie of Rochester, the boroughes and townes of Stampforde, and great Gymsby in the Countie of Lyncolne, the towne of Cambridge, in the Countie of Cambridge, the Borough or Towne of Darby in the Countie of Darby, the borough or towne of Gylford in the Countie of Surrey, the towne of Dunwich in the Countie of Suff. the Boroughes or townes of Synque ports with their members, the townes of Lewes in the countie of Sussex, and the towne of Buckingham in the countie of Buckingham, do not sufficiently reedifie, buyld, and repaire, or cause to be reedified, buylded, and repaired the sayd desolate and voyd groundes and decayed houses convenient for habitation and dwelling, within two yerres next after proclamation made in or vpon the same voyde ground or groundes, decayed house or houses, by the Maiors, Aldermen, and Burgessees or other head officers within the precinct of their owne aucthorities, Then it shalbe lawfull for the chiefe lord

lord or lords immediat, of whom such desolate & void grounds decayed and ruinous houses be holden, after the said two yerres be expired, to enter into the same, and to haue the same grounds or houses with the curtelage, backeside, and garden adioyning to the same (if they bee of the inheritance of the owner or owners of the sayde decayed house or ground, and excede not one acre of ground) to them & to their heires or successours, or to their owne proper vse for euer, so that the said lord or lords immediat entering by the aucthoritie of this act, do sufficiently reedifie, build, or repaire the same void ground or decayed houses within two yerres and halfe next immediatly following the determination of the foresaid first ii. yerres. 33. H. 8. 36.

The chiefe
Lords enter.

2 ¶ And in case such lord or lords as may enter by this act do not enter, and well and sufficiently reedifie, buylde, or repaire the same void ground or decayed houses within the said two yerres and a halfe to them limited by this act, or if such Lord or Lords immediat as may enter do sufficiently reedify, build, & repaire y^e same void grounds or decayed houses within the sayde two yerres and a halfe, to them limited, and after they, their heires, or successours suffer the same houses or void groundes to fall in ruine and decay, and not buylde or reedifie the same sufficiently within two yerres and a halfe after such ruine or decay: Then it shalbe lawfull to al person or persons or bodies politique as shall then haue any rent charge iointly or seuerally going out of the sayd void ground or grounds, or decayed house or houses in any of the sayd cities, boroughs, townes or places, immediatly after the said two yerres and a halfe expired, to enter into the same, and to haue to such of them, their heires and successours to their owne proper vse as shall so build the sayd voide grounds or decayed houses by aucthoritie of this act, the same void groundes or houses with the curtelage, backeside, and garden adioyning to the same if they be of the inheritance of the owner or owners of the sayde decayed houses or ground, and excede not in quantitie one acre of ground, discharged of all rents going out of the same groundes, or houses, as well against the sayd lord and lords immediate, as all other person or persons or bodies politike hauing any rent or rentes charges, or rent secke out of the same, other then the fee ferme of the sayd citie, borough, towne or place, or some parcel thereof, so that the sayde person or persons or bodies politique hauing the sayde rent charge, entering by the aucthoritie of this act, do sufficiently reedifie, build, & repaire the same desolate & void ground or grounds, or decayed house or houses within one yere & iii. quarters next and immediatly following the determination of the sayd two yerres & a halfe to y^e said lord

The entree of
them which
haue rent
charge.

or lordes immediatly appointed by this act, 33. H. 8. 36.

3 ¶ And in case such person or persons or bodies politike hauing any of the sayde rents, charges, as may enter by this act, do not enter, and well and sufficiently reedifie, build, or repaire the same voyd ground or decayed houses within one yere and thre quarters to them appointed by vertue of this act, or if they or any of them hauing such rent, charge, and that may enter by this act, do sufficiently build and repaire the same voyde ground or grounds or decayed house or houses, within the sayde one yere and thre quarters to them limitted, and after they, their heires, or successours suffer the same voyde ground or grounds, house or houses to fal in ruine and decay, and do not build or reedify the same sufficiently within one yere and thre quarters after such ruine or decay: Then it shalbe lawfull to the Maiors, Aldermen, and Burgesles, & other head officers in y^e said city, boroughs, townes, and places by what name or names soeuer they be incorporated, and their successours, and euery of them within the limits of their auctorities, immediatly after the sayde yere and thre quarters expired, into euery such desolate voyde groundes, decayed or ruinous houses to enter, and haue, holde, and enioy to them and their successors for euer, to their owne vses, the same grounds or houses, and euery of the with the curtelages, gardens and backsidess to the same, if they bee of the inheritance of the owner or owners of the sayde decayed house or ground, and excede not in quantitie one acre of ground, clerely discharged of all rents going out of the same grounds or houses, aswel against the said lord or lordes immediat, as all other person or persons or bodies politike hauing such rent charge or rent secke, as before is sayd, other then the fee farme of the said city, borough, towne, or place, or parcel thereof. So that the same Maiors, Aldermen, and Burgesles, or other head officers, as is aforesayde, or their successors for the time being, do reedifie, build, or repaire, or cause to be reedified, builded, or repaired the same ground or grounds, house or houses, within iii. yerres next and immediatly following the determination of the said yere and thre quarters, limitted or appointed to such person or persons, or bodies politike, that haue or shall haue any rent as is aforesaid. An. 33. H. 8. 36.

The entree of
the head officers
of corporate
rate townes.

4 ¶ And in case the sayde Maiors, Aldermen, and Burgesles, or other head officers as is aforesayd, or their successors, doe not enter, & reedifie, build, & repaire the same voyd ground or grounds, decayed house or houses in forme aforesaid, within the said terme of iii. yerres after their said entrie, or if they sufficiently reedifie, build, and repaire the same voyd ground or groundes, or decayed house or houses, within the

the saide thre peres to them limited by this act, & after they, or their successors suffer the same house or houses, void ground or grounds to fall in ruine and decay, and do not build and reedifie the same sufficiently within iii. peres after such ruine or decay: Then it shalbe lawfull to the first owner or owners, possessor, or possessors of such void ground or grounds, decayed house or houses, their heires or successors, immediately after the said thre peres (to the said Maiors, Aldermen, & Burgesses, or other head officers as is afore limited) expired, into y^e same house, ground or grounds, courtelages, gardens, & backslides, to enter, & the same to retain to them, their heires and successors as in their first estate. 33. H. 8. 36.

The first owners entrie.

5 ¶ But this act shal not be preiudiciall to any person or persons being at the time of the sayde Proclamation made, vnder y^e age of xxi. peres, or being feme couert, or in prison, or beyōd y^e sea in y^e Queenes warres, or in his other lawfull affaires, or to any person or persons not being then of whole and perfect memorie, during the time that such person or persons shalbe within age, married, in prison, or of no perfect memorie, or beyond the sea, so that the same person or persons, their heires or successors after that hee or they come to their full age of xxi. peres, or be unmarried, out of prison, or come againe within this realme, or be of whole and perfect memorie within iii. peres then next ensuing, do reedifie the same desolate or voyd groundes, or repaire the said decayed houses. An. 33. H. 8. 36.

Infants, feme couert, out of the realme, in prison lanaslike persons right reserved.

6 ¶ An. 35. H. 8. 4. a like acte was made in euery respect, with like prouision of sauing for the repairing of the towne of Shrewesburie in the county of Salop, the city of Chester in the colity of Chester, the towne of Ludlow in the county of Salop, Hauerford west in the county of Hauerford in south Wales, y^e towne of Penbroke, Temy in the county of Pembroke, the towne of Karmerdyn in the county of Karmerdin, the towne of Mountgomery in y^e county of Mountgomery, Cardiffe, Swanesse, Cowbridge, newe Radnor and Prestend in the county of Radnor, the towne of Brekenocke in the county of Brekenocke, & the towne of Monmouth in the countie of Monmouth, the towne of Maldon in the county of Essex, the townes of Abargauenny, Ase, Carlion, and Newport in the countie of Monmouth, the townes of Lancaster, Preston, Lirepole, and Wigan in the County palantine of Lancaster.

7 ¶ An. 32. H. 8. 18. an act was made for the repaire of houses of habitation within the walles and liberties of the Cityes, Boroughs, and Townes of Yorke, Lincolne, Canterburie, Couentrie, Bathe, Chichester, Salisburie, Winchester, Bristowe, Scarburgh, Berford,

Berford, Gloucester, Rochester, Portsmouth, Poole, Lyn, Feversham, Worcester, Stafford, Portfret, Grantham, Excester, Ipswich, Southampton, great Yarmouth, Orford, great Wickham, Gifford, Etfretford, Kingston upon Hull, Newcastle upon Tyne, Beverley, Bedford, Leicester, and Barwike, and Anno 32. H. 8. 19. a like act is made concerning the repairing of the borough & townes of Shafton, Sherborne, Britport, Dorchester, and Weymouth in the county of Dorset, and the Boroughs and Townes of Plymouth, Plympton, Barstable, Tauestocke, and Dartmouth, within the countie of Devonshire, and the boroughs and towes of Launceston, Liscard, Lestuthiel, Bodman, Turine, and Helston, wythin the countie of Cornewall, and the Boroughes, and Townes of Bridgewater, Taunton, Somerton, and Ilchester within the countie of Somerset, and the borough of Maldon in the countie of Essex, and also the Borough and shire Towne of Warwike in the countie of War. By which acts it was provided that if any persons &c. or body politike, being owners or possessioners of any voyde groundes that haue bene at any time within xxv. yeres immediatly past before 12. Aprils. An. 31. H. 8. and An. Do. 1541. builded for houses of habitations, nowe, or hereafter being in decay, and not fully fallen downe, within the liberties or precincts of any of the said Cities, Boroughs or townes, do not sufficiently reedifie, bulde, and repaire, or cause to be reedyfied &c. the sayde void groundes or decayed houses convenient for habitation &c. within threer yeres next after proclamation thereof to bee made in or vpon the same groundes &c. by the Maiors &c. or other officers of euery of the sayd Cities, Townes &c. Then it shall be lawfull to the Lords of whom such gooundes, houses &c. be holden, after the sayde threer yeres expired, to enter into the same, and to haue the same &c. to them and to their heires or successors, to their owne vse for euer, so that the sayde Lordes so entering do sufficiently reedifye the same houses, groundes &c. within two yeres next following the determination of the sayde iii. yeres. And in case such Lord do not enter and sufficiently reedifie the same groundes &c. within the sayde two yeres: Then it shall be lawfull to all such persons or bodies politique &c. as shall then haue any rent charge going severally out of any of the sayd groundes or houses &c. immediatly after the sayd two yeres expired to enter into the same, and to haue the same to them, their heires &c. for euer, so that the sayde persons or bodies politique &c. doe sufficiently reedifie the same groundes within one yere next following the determination of the sayde two yeres and in case such persons or bodies politique &c. hauing the sayde rent charges

charges &c. do not enter sufficiently reedifie &c. the same grounds &c. with the said one yere &c. Then it shall be lawfull to the Maiors, Sherifes, bailifes or comminalty, or other head officers of the sayde cities, boroughes &c. or their successors &c. immediatly after the sayde yere expired, into euery such groundes, houses &c. to enter, and the same to enioy &c. to them and their successors for euer, clerely discharged of al rent going out of the sayde grounds or houses, as well against the said Lord, as all persons, or bodies politique hauing any such rent, so that y^e said Maiors &c. or their successors &c. do reedify &c. y^e same grounds houses &c. within thre yeres immediatly following the determination of the said yere &c. And in case the said Maiors &c. or their successors do not enter and reedifie &c. within the said terme of thre yeres &c. Then it shall be lawfull to the first owners, possessioners &c. of such void groundes or decayed houses &c. their heires or successors immediatly after the said thre yeres expired, into the same groundes or houses &c. to reenter, and the same to retaine to them, their heires and successors as in their first estate. In which statutes there bee seuerall prouisoos &c. that the sayde acts shal not be preiudicial to any persons being at the time of the sayd proclamation made vnder the age of xxi. yeres, to any woman being married, to any person being in prison, or beyond the sea in the Queenes warres, or in his other lawfull affaires, during such time &c. So that the same person do within thre yeres next ensuing (that same imperfection remooued,) reedify &c. the same grounds, houses &c. as is abouesayd &c.

8 ¶ Anno 27. H. 8. 1. it was enacted that if any owner, or owners of any voyde and decayed houses, or grounds within the precinct of the towne of Notinghā, Shrewesburie, Ludlow, Glouc. Bridgenorth, Quinborough, and Northampton, within thre yeres next after proclamation thereof to be made by the Maiors, Sherifes, and baylifes, of any of the sayd towne, in or vpon any such vacant or decayed houses or groundes, do not enter, and sufficiently reedify y^e same houses grounds &c. Thē it shalbe lawfull to the Lord of whō such groundes &c. shalbe holden, to enter immediatly after the sayd thre yeres expired, and to haue the same to him, his heires, & successors for euer, so y^e the said Lord do sufficiently reedify the same within iii. yeres next and immediatly following the determination of the former thre yeres, And if such Lord do not enter and sufficiently reedify the same within the said iii. yeres: Then it shall be lawfull to the sayd Maiors, Sherifs, baylifes &c. & their successors after the said iii. yeres expired, to enter into euery such groundes, or houses, & the same to retaine to them and their successors for euer, discharged of al rents going out of the same,

R. x. iiii.

so that

Townes. Transportation.

so that the same Maiors &c. or their successors do sufficiently reedifie the same groundes &c. within iii. yerres next following the determination of the former iii. yerres. And in case the said Maiors &c. and their successors do not enter, and sufficiently reedifie the same decayed houses or groundes, in forme aforesaide, within the sayde terme of 3. yerres, Then it shall be lawfull to the first owners of such decayed groundes, their heires or successors immediatly after the same iii. yerres expired, into the same &c. to reenter, and them to retaine to them, their heires and successors, as in their first estate. In which act there is a prouiso for every person being at the time of the proclamation made, vnder age, a woman conert, in prison, beyonde the sea &c. vt supra.

1 That he which dwelleth in the countrey shall not sell wares in corporat or market townes by retaile. S. Marchandise. 11. 12.

2 That cloth to be put to sale shall not be wrought but in market townes. S. Draperie. 78.

Transportation.

Transporting
of things out
of the Realme.
Corne.
Artillarie.
Cloth.

FOR the transporting of Corne, Beere, Butter, Cheese, Herring, & wood. S. Corne. 1. 3. 4. 6. 7.

2 For transporting of Artillarie by any Alien. S. Archerie. 6.

3 For the transporting of cloth of all prices and sortes, and of wollen yarne. S. Draperie. 100. 101. 102.

Brasse.

4 For the transporting of Brasse, Copper, Latten, Mettall. See Brasse. 1.

Sheepe.

5 For the transporting of any kinde of sheepe being aliue. See Sheepe. 1. Felony 3.

Leather.

6 For transporting of leather, Tallowe, and rawe hydes. S. Leather. 33.

Gold & Siluer.

7 For transporting of Golde or Siluer in money, Bulleon, Plate, or vessels. S. Money. 3. 4. Merchants. 9. Premunire 2.

Horses.

8 For transporting of horses, Mares, or geldings, beyond the sea, or into Scotland. S. Horses. 13. 16. Felony. 1.

Shoes.

9 For transporting of Shoes, Bootes, Buskins, Startups &c. S. Leather. 35.

Skinnes.

10 For transporting of Sheepskins, woolfels, the skins of any Stagge, Hynde, Bucke, Doo, Kyd, or the Leather made of them. See Marchants 4.

Fish.

11 For transporting of Fish. S. Ships 1. Fish. 18.

Vitaile.

12 For the transporting of vitailles. S. Vitailles. 8.

White ashes.

13 For the transporting of white Ashes. S. White Ashes 1.

14 For

- 14 For the transporting of Worstedes. S. Worstedes 4.5. Worstedes.
- 15 For the transporting of worsted yarne, sponne in Englande. Worsted yarne.
S. Yarne 2.
- 16 For the transporting of thrummes, or wollen yarne vnder the colour of thrummes. S. Yarne.3. Thrummes.
- 17 For the transporting of Hornes, S. Hornes 2. Hornes.
- 18 For the transporting of Spicerie, S. Marchants 1. Spicerie.
- 19 For the transporting of Iesuities, Priests, &c. S. Iesuities 8. Iesuities.
- F**Or y bringing of cloth into this realme, made in an other realm, Bringing of things into the realme.
S. Drapery 104. Cloth.
- 2 For the bringing of Corne into this realme. S. Corne 9. Corne.
- 3 That no vagabonds or beggers shalbe brought out of Ireland or the Isle of Man, into England or Wales, S. Poore people 14. Vagabonds.
- 4 That no vagabondes calling themselves Egyptians, shall bee brought into this realme. S. Egyptians 1. Egyptian.
- 5 That certaine foreine wares readie wrought, shal not be brought into this realme. S. Merchant 3. Forein wares.
- 6 That Irish money shall not be brought into this Realme. See Irish money. Money.5.
- 7 That no person shal buy or take by exchange, any wares brought into this Realme, wrought out of the Realme, made of tinne or mixt with tinne. S. Pewter 7. Tinne.
- 8 That no person shall bring wrought silke into this Realme. S. Wrought silk. Silke 1. Wrought silk.
- 9 That no false or counterfaite money shalbe brought into this realme. S. Treason 1.3. False money.
- 10 That he which bringeth in Haukes, must bring a certificate testifying the same. S. Haukes 3. Haukes.
- 11 That they which bring in certaine other merchandizes, shall bring in Bowstaues. S. Bowes 1.2. Bowstaues.
- 12 For the bringing in of salted fish, or salted Herrings into this realme, who may do it, and who not. S. Fish 17.21.22.

¶ Trauerse.

Where one person or more is or shal be found heire to the Tenant, by office or Inquisition, where any other person is or shalbe heire: Or if one person or more is or shall be found heire by office in one countie, and an other is or shall be founde heire to the same person in an other countie: Or if any person is or shalbe vnruly found lunatike, ideot, or dead: Every person or persons greened by any such office, or inquisition, shall and may haue his or their trauerse to y same immediately

Trauerse to an office found after the death of the Tenant.

immediately, or after at his or their pleasure, & proceed to tryall therein, and haue like remedie and aduantage, as in other cases of Trauerse vpon vnttrue offices found, 2. Ed. 6. 8.

**Trauerse to
an office found
vpon attain-
der of felony
&c.**

2 **¶** Where it is, or shalbe vntuly founde by Office or Inquisition, that any person attainted, or that shalbe attainted of treason, felony, or Præmunire, is or shalbe seysed of any landes, tencements, or hereditaments at the time of such office committed, or at any time after, whereunto any other person or persons shall haue any iust title, or interest of any estate of freeholde: Then euery person greued thereby, shall haue his Trauerse or Monstrance de droit to the same, without beeing driuen to any petition of right, And like remedie and restitution vpon his title founde or iudged for him therein, as hath bene vsed in other cases of Trauerse although the Queene shall be in such case intituled to any such landes by double matter of Recorde. 2. Ed. 6. 8.

**Trauerse
where the D.
is intituled to
a tenure where
none is.**

3 **¶** Where it shall bee founde by Office, or inquisition, that any landes &c. shall bee discended, remayned or come to any heire within age, and in the Queenes warde, or that ought to be in the Queenes warde, and that such landes are holden of the Queene immediatly, where in deede the same are holden of some other common person, and not of the Queene immediatly: In such case such heire or heires shall and may haue his or their Trauerse to the same within age, and like remedie and restitution vpon his or their title found or iudged for him or them therein, as hath bene vsed in other cases of Trauerse. 2. Ed. 6. 8.

**Vpon a Tra-
uerse a Scire
facias shalbe
awarded a-
gainst the
Queenes pa-
tentees.**

4 **¶** In all such cases as any person shalbe enabled by this Act to haue any Trauerse, and shal pursue his Trauerse: Then he that shal pursue such Trauerse, shall sue one writ, or seuerall writs of (Scire facias) as the case shal require, agaynst all and singular such person and persons as shall haue interest by the D. or by her Patentee, or patentees, in like maner and forme as is requisite vpon traueses, or petitions heretofore pursued, and in euery such Scire facias, the patentees or other defendants shal haue like pleges and aduantage, as they had in any Scire facias before this time awarded agaynst any patentee in any case of petition. And also vpon euery trauerse that shalbe pursued by vertue of this Act, in such case as the partie that shal pursue such tra-uerse should by order of þe cōmon lawes, haue ben put to sue by petitio to þe D. There shalbe two writs of search grated in maner & forme, as like writs haue bene granted vpon petitions made to þe D. 2. Ed. 6. 8. Where foure writs of search shalbe granted. S. Ayde of the Queen. 3.

**Writs of search
vpo a trauerse**

5 **¶** If after any iudgement shalbe giuen vpon any trauerse that shalbe

shalbe tendered by vertue of this act, it shall appeare by any matter of Record, that the Q. hath any former title, right, or interest to the lands &c. mencioned in the same trauerse, Then the same title shall be saued to her, the sayd trauerse, and iudgement therupon giuen notwithstanding. 2. Ed. 6. 8.

1 Where he that is indicted or appealed of treason, shalbe receiued to trauerse the same. S. Treason 11.

2 Trauerse to an office whereby lands shalbe found to bee fraudulently conueyed by any of the Queenes accomptants. S. Accõptants &c. 38.

3 Where landes shalbe letten to ferme to him that tendreth a Trauerse. S. Patents 13.

4 For the triall of a truerse certified of a Riot. S. Riots 3.

Treason.

It is high treason to compasse or imagine the death of the King, the Queene his wife, or of their eldest sonne & heire, or to deflower the kings wife, the kings eldest daughter being vnmarrid, or y^e kings eldest sonne and heires wife, or to leuie warre against the king, Queene &c. in her realme, or to be adherent to her enemies, ayding them in her realme, or els where, Or to counterfaite the Queenes great seale, her priuie seale, or her money, Or to bring false money into this realme, counterfayte like vnto the money of England, knowing the money to be false, and to make merchandize or payment therewith, Or to slea the Queenes Chauncelloz, Treasurer, Iustice of the one Bench or other, Iustice in Eyre, Iustice of Assise, or any other Iustice assig-
ned to heare and determine, beeing in his place, doing his office, which foresayde treasons doe extende to the Queene, and her royall Maestie, and the Queene shall haue the forfeyture of the escheate of them aswell of landes and tenements holden of others, as of her selfe. 25. Ed. 3. 2.

Compassing
the Q. death.

Leuying
warre & ay-
ding of the Q.
enemies.
Counterfey-
ting the great
or priuie seale.
Bringing in
of counterfeit
money.
Killing a
Judge sitting
in his place.

2 **I**f any person doe falsely forge or counterfayte the Queenes signe manuel, priuie signet, or priuie seale, or doe falsly forge and coun-
terfayte any coyne of Golde or Siluer which is not the proper coyne of this Realme, and is or shall be currant within this Realme, by the consent of the Queene, her heires or successours, it is high treason, and the offenders therein, their counsayloz, aydoz, procuroz, and abbettoz being conuict according to the lawe, shal be adiudged tray-
toz. 1. H. 6.

Forging the
signe manuel,
priuie signet,
or seale.

Forging the
mony of other
realmes cur-
rant in this.

3 **W**hosoeuer doeth bring into this realme, or any the domini-
ons

Bringing in
of counterfeit
money.

ons thereof, from any parts beyond the sea, any false and counterfeyte coyne or money like to the coyne of other realmes, beeing by the Q. permission currant in paiement within this realme, knowing the same to be false and counterfeyte, to the intent to utter or make payment therewith, within this realme &c. by merchandizing or otherwise, he, his counceylors, procurors, aydoers, and abbettours, doe commit high treason. 1. & 2. P. & M. 11.

Forging of
money, which
neither is the
mony nor cur-
rant within
this realme.

4 ¶ If any person or persons shall falsly forge or counterfeyt any kinde of Gold or Siluer, as it is not y proper coyne of this realme nor permitted to be currant in this realme, it is misprision of high treason, and the offendours therein, their procurors, aydoers, and abbettours, being conuict &c. shall bee imprisoned, and forf. such lands goods and cattels, as in cases of misprision of treason, for concealment of high treason. 14. El. 3.

Clipping, wa-
shing, roun-
ding, or filing
of money.

5 ¶ The clipping, washing, rounding, or filing for gaynes sake of any money or coyne, which now is, or hereafter shalbe y coyne of this realme, or the dominions thereof, or of any other Realme &c. allowed and suffered to be currant within this realme, by the Q. her heires, or successors, is treason. And the offendours, their counceylors, consentors, and aydoers shall be adiudged as offendours in treason. But the attaynder in this treason maketh no corruption of blood in the heire, nor forf. of dower in the wife. 5. El. 11.

Diminishing,
skaling, or
lightning of
money.

6 ¶ If any person for wicked lucre sake, do by any art, wayes, or meanes whatsoeuer, impayre, diminish, falsifie, skale, or lighten y proper moneyes or coynes of this realme, or any the dominions thereof, or the moneyes &c. of any other realmes allowed at the time of the offence committed to bee currant within Englands, or any dominions thereof, by the Proclamation of the Q. her heires, or successors, he, his counceylors, aydoers and consentors shal be adiudged offendours in treason. But the attainder for his offence, maketh no corruption of blood, nor the wife to lose her dower. 18. El. 1.

Petit treason.

7 ¶ It is petit treason, when a seruant killeth his master, a woman killeth her husbände, or when a seculer or religious man killeth his Prelate, to whome he oweth obedience. And this manner of treason, doth giue the forf. of the Eschetes to euery Lorde of his owne proper fee. 25. Ed. 3. 2.

Misprision of
treason.

8 ¶ Concealment or keeping secret of any high treason, shal be deemed and taken onely misprision of treason, and the offendours therein shall forf. and suffer, as in case of misprision of treason hath heretofore bene vsed. 5. Ed. 6. 11. 1. & 2. P. & M. 11. 1. El. 6. S. Prisons. 8. that it is misprision of treason to conspire to set at libertie any person committed

committed to prison by the Q. commandement, for any treason or suspicion thereof, touching her owne person, before the same person bee indicted thereof. 14. El. 2.

9 ¶ If any person being examined before the Queenes counsell, or iii. of them upon any treasons, misprisions of treasons, or murders, doe confesse any such offences, or that the sayd Counsel or thre of the, upon such examination, shall thinke any person so examined to be vehemently suspected of any such offences: Then the Queenes commission of Oyer & terminer vnder the great seale shall be made to such persons, and into such Shires or places, as shall be appoynted by her highnes for the speedie triall, conuiction, or deliuerance of such offenders, which commissioners shall haue authoritie to enquire, heare & determine al such treasons, misprisions of treasons, & murders, within the shire and places limitted by their commission, by such good and lawfull persons, as shall be returned before them by the sherife, his minister, or other, hauing power to returne writs & proces for that purpose, in whatsoeuer other Shire or place within the Queenes dominions, or without, such offences were committed 33. Henrici 8. vice-simo tertio. What challenges the offender in this case shall haue. See Challenge 8.

Trial of treasons & murders, by speciall commission.

10 ¶ All offences being made or declared, to be made &c. Treasons, misprisions of treasons, or concealments of treasons, & done or committed by any person out of this Realme of England, shall be enquired of, heard and determined before the Iustices of the Kinges bench, by good and lawfull men of the same shire where the sayd bench shall sit and be kept, or els before such Commissioners, & in such shire of the Realme, as shall be assigned by the Queenes commission, and by good and lawfull men of the same shire, in like maner to all intents, as if such offences had bene committed within the same shire where they shall be so enquired of, heard, and determined. 26. H. 8. 13. 35. H. 8. 2. 5. Ed. 6. 11.

Trial of treasons committed out of the realme.

11 ¶ All proces of outlawrie to be made within this Realme, against any offenders in treason being resiant out of this Realme, or beyond the sea, at the time of the outlawrie pronounced agaynst them shall be as good and effectuell in the lawe to all intents, as if any such offenders had bene resiant within this realme at the time of such proces awarded, and outlawry pronounced. But if the partie so outlawed shall within one yere next after y^e sayd outlawrie pronounced, or iudgment giuen thereupon, peeld himselfe vnto the chiefe Iustice of England for the time being, and offer to traaverse the said indictment or appeale whereupon the said outlawrie shall be pronounced, then he shall be receiued

Outlawrie of an offender being out of the realme.

Treason.

receyued to the sayd trauerse, and being thereupon found not guiltie by the verdit of xii. men, he shalbe cleerely discharged of the sayd outlawrie, and of all penalties and forfeitures by reason of the same in as ample maner, as though no such outlawrie had bene made. 26. H. 8. 13. 5. Ed. 6. 11.

Trial of treasons committed where the Q. is present.

12 **A**ll such treasons and misprisions of treasons which any person shall commit within the principalltie of Wales and marches of the same, or els where within any the Queenes dominions, where her originall writs in the Chancery of England runne not, shall bee presented and tryed by the othe of xii. men, which shall inhabite within any such shires, and before such Commissioners, as the Q. from time to time in such cases shall assigne by her Commission or Commissions of Oyer and Terminer, in like maner, as if such offences had bene committed within the sayde shires into the which the sayde commissions shalbe directed. And al presentments, trials, proces, iudgements, executions, and forfeitures made, had, or done by vertue of such commissions, shall bee good and effectuell in the lawe to all purposes &c. 32. H. 8. 4.

Trial of treason.

13 **A**l tryals to be had, awarded, or made for any treason shalbe had and vsed, onely according to the due order and course of the Common lawes of this realme, and not otherwise. 1. and 2. H. 10.

Quere.

Quere if this do take away, or diminish the force of any of the other branches. 63. 9. 10. 11. 12.

Attainder of treason by the common law of as great strength as by parliament.

14 **I**f any person or persons shalbe attainted of high treason by the course of the common lawes or stat. of this realme, in euery such case, euery such attainder by y^e common law shalbe of as good strength, value, force, and effect as if it had bene done by authoritie of Par. And the Q. her heires and successors, shal haue as much aduantage by such attainder, as well of vses, rights, entries, conditions and possessions, reuerfions, remaynders, & all other things, as if it had bene done and declared by authoritie of Parliament, and shalbe deemed and adiudged in actual & reall possession of the lands, tenements, hereditaments, vses, goods, cattels, and al other things of the offenders so attaynted, which her highnes ought lawfully to haue, & which they so being attainted ought or might lawfully lose and forf. if the attainder had ben done by authoritie of Par. without any office or inquisition to be found of the same, any law, stat. &c. notwithstanding. Sauing to all & euery person and persons, and bodies politike, and their heires, assignes, and successors, & euery of them, (other then such person & persons, which shalbe attainted of high treason, and their heires and assignes, and euery of them, and all and euery other person and persons, clayming by them

them or any of them, or to their uses, or to the uses of any of them, after the sayd treasons committed) all such right, title, use, possession, entrie, reuerfions, remaynders, interests, conditions, fees, offices, rents, annuities, commons, leases, and al other commodities, profits, and hereditaments whatsoever they or any of them, should, might, or ought to haue had, if this act had neuer bene made. An. 33. W. 8. 20.

1 Treason for the second refusall of the othe for the Q. supreme gouernment ouer all estates. S. Queene. 8.

2 Treason in compassing to depose or destroy the Q. or to leuie warre &c. or in affirming that shee ought not to enioy the crowne but some other. S. Queene. 13. 14. 17. 19.

3 Treason in affirming that the Q. is an heretike, scismaticke, tyrant, infidell, or vsurper. S. Q. 17. 24.

4 Treason in mainteining that the common lawes or stat. lawes do not limit or binde the right of the Crowne. S. Q. 20.

5 Treason in mainteining or extolling the authoritie of the bishop or sea of Rome. S. Rome. 1.

6 Treason in obtaining any bull or instrument from Rome, or in giuing or taking absolution thereby. S. Rome. 2. Præmunire. 5.

7 Treason in conspiring to set any person at libertie, committed to prison by the Q. commandement, for treason or suspicion thereof touching her person. S. Prison. 8.

8 For the forfeitures in high treason. S. Forfeiture. 2.

9 That peremptorie challenge is not allowable in cases of high treason and misprision. S. Challenge. 10. 11.

10 Treason in withholding any of the Q. castles, destroying of her ships, or barring any of her hauens. S. Castles. 2.

11 Misprision of high treason in concealing of a Bull or other instrument from Rome, or absolution offered. S. Rome. 4.

12 Treason for perswading, or reconciling, or beeing reconciled to the Romish religion. S. Rome. 7. 8.

13 Treason for a Iesuite or Priest &c. to come into or remaine in any of the Q. dominions. S. Iesuities. 2.

14 Treason by remayning in a Seminarie and not returning after proclamation, and taking the Othe. S. Iesuities. 4.

¶ Triall.

Where any person shalbe feloniously strikē or poysoned in one countie, and dye of the same stroke or poysoning in any other countie, then an indictment therof found by Iurozs of the county where

Triall where the striking or poysoning is within one countie, and dieth in another.

where the death shall happen (whether it be founde before the Coroner, vpon the sight of such dead bodie, or before the Iustices of peace or other Iustices or commissioners which shall haue authoritie to enquire of such offences) shalbe as good in lawe as if the stroke or popsoning had bene committed in the same Countie where the partie shal dye, or where such indictment shalbe so founde. And the Iustices of gaole deliuerie, and oyer and terminer in the same Countie where such indictment shall bee taken, and also the Iustices of the Kinges Bench after such indictment shalbe remooued before them, shall and may proceede vpon the same in all poynts, as they shoulde or ought to doe in case such felonious stroke or popsoning, and death therof ensuing, had growen in all one same countie. And such partie to whom appeale of murder shalbe giuen by the law, may commence, take, and sue appeale of murder in the same countie where the partie so feloniously striken, or popsoned, shall dye, as well against the principall and principals, as against euery accessarie to the same offences, in whatsoever countie or place the accessarie shalbe guiltie to the same. And the Iustices before whome any such appeale shalbe commenced, sued, and taken, within the yeere and day after such murder and manslaughter committed, shall proceede agaynst euery such accessarie in the same countie where such appeale shalbe so taken, in like maner and forme, as if the same offence of accessarie had bene committed in the same countie where such appeale shall be so taken, as well concerning the tryall by the Iuroys of the Countie where such appeale shalbe taken, vpon the plee of not guyltie pleaded by such offendour, as otherwise.

An. 2. Ed. 6. 24.

Appeale of murder in the countie where the death is sueth.

Appeale against the accessarie.

Trial of an accessarie in one countie to an offence done in another.

2 ¶ Where any murder or felonie shalbe committed in one countie, and an other person or moe shalbe accessarie to the same in any other Countie, then an indictment found or taken against such accessarie and accessaries vpon the circumstance of such matter (before the Iustices of the peace, or other Iustices, or commissioners, to enquire of felonies, in the Countie where such offences of accessarie shall bee committed) shalbe as good in the lawe, as if the sayde principall offence had bene committed within the same Countie, where the same indictment agaynst such accessarie shalbe found. And the Iustices of gaole deliuerie, or oyer & terminer or two of them, of or in such countie, where the offence of any such accessarie shalbe committed or done, (vpon suit to them made) shal write to the Custos Rotulorum, or keepers of the Records, where such principal shalbe attainted or conuict, to certifie them whether such principal be attainted or conuicted, or otherwise discharged of such principall felonie, who vpon such writing

ting shall make sufficient certificat in writing under their seale or seales to the said Iustices, whether such principal be attainted, convicted or otherwise discharged, or not. And after that they do certifie that such principal is attainted, convicted, or otherwise discharged of such offence, then the said Iustices &c. shall proceede vpon every such accessorie, in the countie where he became accessorie, in such maner & forme, as if both the said principal offence & accessorie had bene committed in y^e said county where y^e offence of accessorie was committed, & every such accessorie & other offenders aboue expressed, shall answer vpon their arraignements, & receive such trial, iudgement, order, & executiō, & suffer such forfeitures, as is vsed in other cases of felony. An. 2. Ed. 6. 24.

3 ¶ All foireigne ples triable by the countrie, pleaded by any person arraigned vpon any indictment, for any petit treason, felonie, or murder, shall be forthwith tried by the same Iustices before whome such person shall be arraigned, and by the same Iuroys of the same Countie, that shall trie the petit treason, murder, or felonie, whereof he shall be so arraigned, without any further respect, or delay, in whatsoeuer Countie or place of this Realme the matter of the same ples be supposed or alleadged. 22. H. 8. 14. 32. H. 8. 3. And if any person arraigned for murder or felonie pleade that hee was taken out of a priuiledged place in a foireigne countie, and that he denied, the same shall be tried before the same Iustices, and by the same Iurie that shall trie the murder or felonie. 4. H. 8. 2. 22. H. 8. 2.

Trial of foireigne ples.

Taken out of sanctuarie.

4 ¶ All treasons, misprisions of treasons, murders, manslaughter, bloodsheads, and other malicious strikings by reason whereof blood shall be shed against the Queenes peace, which shall be done within any the Palaces or houses of the Queene, or her heires, or within any other house or houses, at such time as her Maiestie shall be then abiding in her royall person, shall be inquired of, tryed, heard, and determined within any the Queenes houses, or other house where her Maiestie shall be abiding, before the Lorde Steward of the Queenes household, and in his absence before the Treasourer and Comptroller of the Queenes household, and Steward of the Marshallie for the time being, or two of them, whereof the Steward of the Marshallie to be one, by vertue of their offices, without any commission or other auctoritie to them given. And whether the Queene shall be removed from the house where such offences shall be done or not, before they be inquired of, heard, and determined, yet such offences shall be inquired of, tried, heard, and determined before the Queenes officers of household before named or two of them, by the inquisition and verdict of her household seruants in her checke rolle, at such Pallace or

Trial of murders &c. done within the R. pallace.

house where her maiestie shalbe at any time abiding. Tricesimo tertio Henrici. 8. 12. For the limits of the Queenes pallace. S. Fighting. 1.

Enquire of
bloodheads
by p.oman
officers.

5 ¶ The two Clerkes, Comptrollers, Clerks of the Checke, and Clerkes Marshals, for the time being of the Queenes household, or one of them, vpon a precept to them, or any of them made, by the Lorde Steward, or in his absence by the saide Treasorer and Comptroller of the Queenes household, and the saide Steward of the Marshallie, or by two of them, whereof the saide Stewarde of the Marshallie to bee one, haue power to summon, warne, and returne the names of foure and twentie persons being P.oman Officers of the Queenes said household in the said Checke rol, to enquire of such treasons, misprisions of Treasons, murthers, manslaughteres, and other malicious striking, by reason whereof blood shall be shed against the Queenes peace, before the sayde Lorde Steward or &c. Treasorer, Comptroller and Stewarde of the Marshallie, or before two of them &c. And it shall be lawfull to them before whom such returnes shall be made, to cause such number of the sayde foure and twentie persons so returned, aboue the number of twelue persons, as to him or them shall seeme expedient, to enquire of such treasons, misprisions of treasons, murthers, manslaughteres, and other malicious striking, by reason whereof blood shall be shed against the Queenes peace within the sayd Palaces, or other the said houses at any time committed &c. 33. H. 8. 12.

Arraignement
of an offender
indicted.

6 ¶ And if any person or persons be indicted by the saide Iurie, or by inquisition before the Coroner of the sayd household, and certified before the sayd Lorde Stewarde &c. or Treasorer, Comptroller, and Stewarde of the Marshallie, or two of them, whereof the sayde Steward of the Marshallie to be one, then immediately the sayd Lorde Steward or &c. Treasorer, Comptroller, and Steward of the Marshallie or two of them &c. before whom the said presentment, inquisition, or indictment shalbe so found, or certified by the said Coroner, shall arraigne before them eury such person so indicted, according to the course of the common law, and forthwith after issue ioyned betweene the Queene and the prisoner so arraigned, the same day & place or any other shal make an other precept to y^e said Clerkes, Comptroller, clerks of the Checke, and Clerks Marshals of the sayd household, or to one of them, to summon and returne one Iurie of xiiii. persons, to appeare before the said Lorde Steward or &c. Treasorer, Comptroller, & Steward of the Marshallie or ii. of them &c. at such day, time, and place, & vpon such paine as shall be then limited, of the Sergeants & gentlemen officers of the Queenes chamber, and of the said household, which shall

shall take wages by the Queenes Checke rolle. And the sayd Lorde Steward or &c. Treasurer, Comptroller, and Steward of the sayde Marshallie or two of them &c. before whome such Jurie shall be so returned, shall cause twelue of the same Jurie to be sworne, truely to trie betweene the Queene, & such person as shall be so indicted & arraigned of such treasons, misprisions of treasons, murders, manslaughteres and other malicious strikings, by reason whereof blood shall be shed against the Queenes peace, or any of them. 33. H. 8. 12. what challenge he which is in this sort arraigned shall haue. S. Challenge 9.

7 ¶ If such person so indicted and arraigned be found guiltie of any treason, misprision of treason, murders, or manslaughteres, then he shall haue iudgement of life and member, and suffer such paines of death, and shall forf. &c. in like maner as if he had bene found guiltie of any the said offences by the order of the common lawes. 33. H. 8. 12. How he shall be punished which striketh maliciously in the Queenes Palace, whereby blood shall be shed. S. Fighting 1.

The punishment of a person so arraigned.

8 ¶ Ladies of great estate, viz. Duchesses, Countesses, or Baronesses, which shall be indicted of any treason, or felony by them done whether they be married or sole, shall be brought to their answer, and put to answer, and iudged before such Judges & Peeres of the realme, as Peeres of the Realme should be, if they were indicted or impeached of such treasons or felonies committed, and in like maner and forme and none otherwise. 20. H. 6. 9.

The order of the trial of Ladies.

9 ¶ If a release or other deede be pleaded in Barre in assise, or other ples of land, or in any action grounded vpon a contract, covenant, or trespass being dated within any franchise where the Queenes writt runneth not, it shall be tried in the countie where the action is brought, and if witnesse be in the deede, proces shall be made in the same countie, and if the witnesses do not come at the graund distress returned, the Justices shall take the enquest, as wel as if the deede had borne date in the same countie where the suite was moued, and that the witnesses had bene of the same countie. 9. Ed. 3. 4.

Trial of a deede where the Queenes writt runneth not.

1 For the trial of Treasons, Misprision of treasons, and Murders, by speciall commission. S. Treasons 9, Piracie 1.

2 For the triall of Treasons committed out of the Realme. S. Treason 10.

3 For the triall of Treasons committed in Wales, and where the Queenes writt runneth not. S. Treason 12.

4 That trials of Treasons shall be according to the course of the common lawes. S. Treason. 13.

5 Who shall be admitted to passe in triall of Felonies & Treasons.

Turne of Sherifes.

in corporat townes. S. Iurors 15.

6 Where trials shall be de Medietate linguæ, and where not. S. Iurors 29, 30. Attaint 21.

7 For the triall of him which imbesilleth a Record. S. Felonie. 18.

8 By whom Bastardie alleaged in him that is borne beyond the Sea, shalbe tried. S. Abilitie. 2.

9 Where a thing done in a forreine Region shall be tried within this Realme. S. Brasse. 2.

10 For the punishment of a Felon which refuseth lawfull triall. S. Felony 36.

11 For the triall of offences done vpon the maine Seas. S. Piracie 1. 2. 4.

12 For the triall of any matter alleged by a Roge in the second degree vpon his arraignment. S. Vagabonds 7.

13 For the triall before the Sherifes, or in court barons, or in corporate townes in Wales. S. Wales 42. 55.

14 Trial of al offences made felony by f A&t, (prouided 23. El. 2.) against sedicious wordes vttered against the Queene. S. Newes. 9.

15 That the triall of the arriual, discharging, and deliuerie of brasse and other Metals, into any part beyond the Sea, shalbe within this Realme. S. Brasse &c. 2.

Turne of Sherifes.

At what time
the Sherife
may hold his
turne.

NO Sherife nor his Bailife, shall hold his turne but in the due and accustomed place, and but twise in the yere, that is, once within a moneth after Easter, and an other time within a moneth after Michaelmas. (And if he doe holde his turne in other maner, he shall lose his turne for that time. 31. Ed. 3. 14.) And the view of frankpledge, shalbe at that feast of S. Michael without any stay, so that every man may haue his liberties. And the view of frankpledge shall be so vled, as that the Queenes peace may be preserued, and that the Tything may be kept whole, as it had wont to be. And the Sherife shall seeke no occasion, but be content with that which the Sherife had wont to haue at his Leete, in the time of king Henry the second. Mag. Chart. 9. p. 3. 36.

Persons
exempted.

2 Archbishops, Bishops, Earles, Barons, and women, neede not to come to the Sherifes turnes, except their presence for any cause be specially required: And they which haue land in diuers hundredes, neede not to come to such turnes, but in the bayliwicks where they be conuersant. Marl. 52. p. 3. 3. 10.

Apparell.

3 Sherifes in their Turnes shall & may inquire, heare, and determine

termine al offences committed within the limits of their auctorities, contrary to the statute provided. 1. & 2. H. 6. for reformation of excess in apparell, and may vpon the conuiction of any offender award proces to the Sheriffe of any shire within this realme, for the apprehension of the said offender. 1. & 2. H. 6. 2. S. Apparell.

4 ¶ And also they may there inquire of all offences & forfeitures committed contrary to the statute provided. 24. H. 8. for the reformation of excess in apparel, and assesse fines according to the said statute. 24. H. 8. 13. S. Apparell.

5 ¶ And also they may there inquire & determine euery default & offence of Hostlers, making horsehead (not of sufficient, lawful, and due assise, according to the price of Cozne) committed within the limits of their iurisdiccions. 32. H. 8. 41. S. Inholders. 2.

6 ¶ And also they may there inquire of attachements made by the officers of the courtes of the East Marches, or West Marches, out of any of the counties of Westmerland, Cumberland, or Northumberland, or the towne of Newcastle vpon Tyne, and therein proceede, as they may vpon presentments taken before them in their turnes of trespasses, or affraies made against the Queenes peace. 31. H. 6. 3. S. Marches. 1.

7 ¶ And also they may there inquire by the othes of xii. lawfull men, of all offences committed contrary to the statute provided. 7. Ed. 6. To auoyd the prices and excess of Wines, and euery presentment taken by the othes of xii. men, shalbe of such force, as if the same were taken in the Kings Bench. 7. Ed. 6. 5.

1 What Iurors shall be returned in a Sherifes turne. See Iurours. 14.

2 That an Indictor in the Sherifes turne, which is sued in a spirituall Court shall haue a Prohibition. S. Prohibition. 7.

3 At what time sherifes in Wales shall keepe their Turnes, who shall haue the fines, issues and amerciaments there forfeited, and who shall asserre them. S. Wales. 43.

¶ Vagabonds.

And euery such person and persons that be, or utter themselves to be Proctors or procurators going in any countrey within this Realme, without sufficient auctoritie deriued from the Queene, and al other idle persons going about in any countrey of the said realme vsing craftie and vnlawfull games, and some of them fauning themselves to haue knowledge in Phisnomie, Palmestrie, or other abused sciences,

sciences, whereby they beare the people in hand they can tel their destinies, deatches, and fortunes, and such other like fantastical imaginations. And all & every person and persons, being whole, and mightie in bodie, and able to labour, hauing not land, or master, nor vsing any lawfull merchandize, craft, or misterie, whereby he or she might get his or her liuing, and can giue no reckoning, how he or she doth lawfully get his or her liuing. And al Fencers, Bearewardes, common players in Enterludes, and Minstrels, not belonging to any Baron of this Realme, or towards any other honourable personage of greater degree, all Juglers, Pedlers, Tinkers, and petie Chapmen: which sayd Fencers, Bearewards, common plaiers in Enterludes, Minstrels, Juglers, Pedlers, Tinkers, and pety Chapmen, shall wander abroad, and haue not licence of two Iustices of peace at the least, whereof one to be of the Quorum, where and in what shire they shall happen to wander: And all common labourers, being persons able in bodie vsing loytering, and refusing to worke for such reasonable wages as is taxed and commonly giuen in such parts where such persons shall dwell. And all counterfaitors of licences, passports, and all vlers of the same, knowing the same to be counterfait. And all Schollers of the Uniuersities of Oxford or Cambridge, that goe about begging, not being aucthorized vnder the seale of the said Uniuersities, by y^e Commissarie, Chauncelloz, or Vicechauncelloz of the same. And all shipmen pretending losses by Sea, other then such as shall be hereafter prouided for. And all persons deliuered out of gaoles that begge for their fees, or do trauel to their countries or friends, not hauing licence from ii. Iustices of the peace of the same countie where he or she was deliuered, shalbe adiudged Roges, Vagabonds, and sturdie beggers, intended by this act, together with all and euery such other persons, as for altering and breaking of such good orders, as in the act established for the reliefe of the aged and impotent poore people are declared to be vagabonds. 14. El. 5. 27. El. 11. S. Poore people. 4. 8. 16.

¶ Vagabonds
shalbe vpon
his apprehen-
sion committed
to the gaole.

2 ¶ Every person aboue the age of xiii. yeeres, being set forth by this act to be a roge, vagabond, or sturdie begger, and which shall be at any time taken begging in any part of this Realme, or taken vagrant, wandring, and misordering himselfe, contrary to the purport of this act, in any part of the same, shal vpon his apprehension be brought before one of the Iustices of the peace, or Maior, or chiefe officer of Cities, Boroughes, or Townes corporate, within the Countie, Citie, Borough, and towne corporate, where the apprehension shalbe, and by the sayd Iustice, or head Officer, presently committed to the common gaole of the saide countie (being apprehended within the countie)

countie) or els such other place, as by the Iustices of peace of that countie or thre of them at any their general Sessions shalbe appointed. And if he be taken within any Citie, Borough, or towne corporate, then to be committed to the prison of the said Citie, Towne &c. there to remaine without bayle or mainprise, vntill the next Sessions of the peace, or generall Gaole deliuerie for the sayd Shire, Citie, Towne &c. to be holden, which shall first happen. 14. El. 5. 27. El. 11. S. Iustices of peace 77.

3 ¶ Every such roge apprehended, shalbe conueied by the Constable or other Officers of the parish where such apprehension shalbe, but to the Constable, Tithingman, or other officer of the next township, or parish in the next hundred, and so from one hundred to another, by the Constables, tithingmen, or officers of euery such township or parish, which shalbe next in euery such hundred, the direct way vntill they shall come to the gaole or prison appoynted for such roges, and euery such officer shall accordingly conuey such roges vnder the paine of forf. of vi. s. viii. d. 14. El. 5. 18. El. 3. 27. El. 11.

By whom a
Roge shalbe
conueied to
the gaole.

4 ¶ At the next Sessions or gaole deliuerie, if such person so committed to prison be duely conuict of his or her rogish trade of life, either by enquest of office, or by the testimonie of two honest and credible witnesses vpon their othes, then immediatly he or she shall be adiudged to be grievously whipped, and burnt through the gristle of the right eare with an hote yron, of the compasse of an ynch about, manifesting his or her rogish kinde of life, and punishment receiued for the same, whereof entre shalbe made of Record by the Clerke of the peace of the same shire in the Records of the same Sessions, which iudgement shall also presently be executed, except some honest person valued at the subsidie next before that time to v. li. in goods, or xx. s. in landes, or els some honest householder, as by the Iustices of the peace of the same Countie, or two of them shalbe allowed, will of his charitie be contented presently to take such offendour before the same Iustices into his seruice for one whole yeere next following, and to that ende will presently before the sayd Iustices enter into band by recognisance to the vse of the Queene, to pay to our sayde soveraigne Lady the summe of v. li. if he keepe not the sayde offendour in his seruice, by the space of the said whole yeere, and to bring him or her vnto the Sessions at the yeeres ende, or then good prooffe of his or her death during the said yeere, the said Clerke of the peace taking for the said recognisance but xii. d. onely. And if such vagabond so taken into seruice, depart wthin the said yere, from y^e said seruice, against y^e wil of him that so taketh him or her into seruice: Then the said vagabond

The first punishment of a
vagabond.

xii. d. a recognisance,

Vagabondes.

shalbe whipped and burnt through the gristle of the right Earre with a hot yron, as is aforesaid. 14. El. 5. 27. El. 11.

Discharge of
imprisonment
by suertie.

5 ¶ But if the said person so committed come before the next sessions or the next gaole deliuerie to be holden for the said Countie, or before their committing, and do finde any such suertie as is next before recited, to be bound in fourme aforesaid for him or her, for one whole yere, then he shall not tarie in the gaole till the next Sessions or gaole deliuerie. 14. El. 5. 27. El. 11.

The second
punishment
of a vagabond

6 ¶ The said person so marked, or adiudged to be burnt, shall not be dealt withall againe by way of punishment by the space of xl. dayes next after the said punishment executed, or adiudged to be burnt, if he or she haue licence for the said xl. dayes, from two Iustices of the peace of the same shire, testifyingng the punishment receiued, or iudgement giuen. But if after the said punishment executed or iudgement giuen, the saide person doe after xl. dayes next after he or she shall so be marked, either in y^e same countie, where he or she was marked, or hauing receiued such iudgement, or els in any other countie within England or Wales being of the age of xviij. yeres or aboue, do eftsones fal againe to any kinde of rogish trade of life, then the said roge from thenceforth shalbe taken & adiudged in all respects as a felon, & shal in all degrees suffer & forf. as a felon, except some honest person valued at the last subsidy next before that time to x. li. in goods, or xl. s. in lands, or els some such honest housholder, as by the Iustices of peace of the same county, or ii. of them shalbe allowed, of meere charitie will be contented before such Iustices, as the said vagabond shalbe arraigned of felony, to take him or her into his seruice for ii. whole yeres then next following, and then before y^e same Iustices wil presently put in hand by recognisance of x. li. to be leuied of his lands, tenements, goods, and cattels, to the vse of our said soueraigne Lady, if he keepe not the said offendour in his seruice for two whole yeres, and bring him or her vnto the Sessions at the said ii. yeres end, or good proofe of his or her death. And if such vagabond so taken into seruice depart within the same ii. yeres, from his or her said seruice against the will of him that so tooke him or her into seruice, then such vagabond shalbe taken and adiudged as a Felon in all respects, and shal suffer and forfait as a felon without allowance of Clergie or Sanctuarie. 14. El. 5. 27. El. 11.

The triall of
any matter
alleged by a
roge to auoyde
his punish-
ment.

7 ¶ If any such person inquirable of, as of a Roge in the second degree, shall after his first conuiction, eyther by curing, or alteration of the marke, or by alteration of name, or denying to be the same person, or by any other meanes goe about to auoyde the hauing of his further punishment, the same or any such other allegation shalbe con- sidered

ordered of, and tried by the Jury upon the arraignment as parcell of their evidence, and as they shall in their consciences find the proofes, circumstances, & evidences, so to giue their verdict, which shall bee a sufficient trial in law, without any further certificat or trial of the former record or conuiction, from any other Countie or place, or by any other meane. 18. El. 3. 27. El. 11.

8 ¶ If the Roge in the second degree indicted, and by confession, or verdict afterwards conuicted, shall afterward a thirde or fourth, or other time after bee indicted and conuicted of rogish life, then he shall suffer in all respects as a Felon, without allowance of clergie: But this act shall not extend to make any person or persons accessarie to the sayd felonies made by this statute, nor any attainer by any the felonies aforesayde, shalbe any corruption of blood in the issues, or line of the person attainted. 14. El. 5. 18. El. 3. 27. El. 11.

A roge in the third or fourth degree.

No accessarie nor corruption of blood.

9 ¶ This act shall not extende to the punishment of any such persons, as by this statut are limitted for Roges, vnlesse the same be of the age of xiiii. yerres or aboue, but euery of them vnder þ age shalbe punished with whipping or stocking, as heretofore hath bene vsed and appointed by the lawes and statuts in that case prouided, and in al other respects repealed. 14. El. 5. 27. El. 11.

Roges vnder xiiii. yerres of age.

10 ¶ If within any Towne or Parish where any such vagabond shal beg or make his aboade, contrary to þ forme of this statute, þ Constable or Tithingmen bee negligent, and do not his or their best induer for the apprehension of such vagabond, or shal willingly suffer the sayd vagabond to escape from the punishment in this statute prescribed: Then the sayd Constable or Tithingmen, in whom such default shalbe, shal forfeit for euery such vagabonde and vagrant person that shalbe suffered to beg, or make abode within his authoritie. vi. s. viii. d. But shipmen and souldiers, hauing licence of the next two Iustices of peace, to the place where they first entred into this Realme, may passe according to the purport of their licence, and intent of this act. 14. El. 5. 27. El. 11.

Forfeiture for not apprehending of vagabonds.

Shipmen & Souldiers.

11 ¶ If any person giue any harborough, money, or lodging or any other reliefe to any vagabonde, either marked, or not marked, not hauing such a licence as is befoze recited from ii. Iustices of þ peace (then in continuance) and that duly proued befoze the Iustices of the peace at their quarter Sessions, he shall make such fine to the Queen, as by the said Iustices, or the more part of them at their general Sessions shalbe assessed, so as the same excede not xx. s. But al gouernours of Hospitals may harbour any aged or impotent person of charity, or giue money in almes (as they are bound to do by their foundation) to such

Relieving of Roges.

Vagabonds.

such impotent or aged person. 14. El. 5. 27. El. 11.

Resisting the
execution of
this statute.

12 ¶ If any person do disturbe the execution of this act, or make rescues against any Maior, Sherife, bailife, or other person that shal endeavour himselfe about the due execution hereof, hee shall forf. v. li. and be imprisoned at the Queenes pleasure. 14. El. 5. 27. El. 11.

No licence shall
extend but in
county where
the graunto
is Justice.

13 ¶ No licence recited in this statute shall giue any libertie, or be of any force, but onely in the shire whereof the graunto or grauntors of such licence shalbe Justice or Justices of peace, wherefore if the said party licenced will haue any further passage without the danger of this law then the shire where his first licence is graunted: hee must procure in euery other shire where he intendeth to passe, one or other licence from two Justices of the peace of the said shire, & so from shire to shire to the end of his iourney. 14. El. 5. 27. El. 11.

Haruest folkes.

Persons robbed
by & way.
Seruingmen.

14 ¶ This act shal not extend to any Cockers, or Haruest folkes that trauel into any countrey of this realme for haruest worke, eyther Corne or Hay haruest, if they doe worke accordingly, neither yet to any that happeneth to be robbed or spoyled by the way, neither yet to any Seruingmen, that bee of honest behauiour, that bee turned from their masters, or whose master or mastres shal be dead, for the space of sixe moneths next after such turning away or death, so as euery such Seruingman hath a testimonial from his master or mastres, or from ii. Justices of the peace of the same county, declaring such turning away, or such death &c. 14. El. 5. 27. El. 11.

Licences vnder
the great
seale.

15 ¶ It shalbe lawfull to the Lord Chancelloz, or Lord Keeper of the great Seale, to make licence vnder the great seale, as heretofore hath bene accustomed, and the said licences shal as largely extende, as the contents of them will beare. 14. El. 5. 27. El. 11.

Passports or
licences by
gouernors of
townes and
Captaines.

16 ¶ This act shall not extende to make voide any safecondite, passport, or licence, graunted by the Lorde Deputie of Ireland, by the Lord Gouvernor of Berwicke, or Carlile, or any other chiefe Captaine or Gouvernor of any Castell or fortreffe of the Queenes, or by any other in their absence, hauing the charge of the sayd townes and Garrisons, or by any the Guardians of the iii. Marches towardes Scotland, or by any generall Lieutenaunt, or other chiefe officer appointed by the Queen to haue the charge & conduction of any army, garrison, or power of men, leuiued by her appointment, & for her special seruice, or by any priuat Captaine, vpon the dispersing of any army, only to any souldier, or any other person whatsoever within Englad and Ireland, passing by vertue thereof about his lawfull busines, but he or they shall quietly enioy the benefite thereof in as ample maner as heretofore hath beene vled, 14. El. 5. 18. El. 3. 27. El. 11. to conti-

nue till the end of the next parliament nowe next ensuing.

1 What act done by any seruant shall procure him to bee punished as a vagabond, S. Laborers, 8.

2 What acte done by any poore or impotent person shall cause him to bee accompted, vsed or punished as a vagabonde, S. P oore people, 4, 8, 9, 16.

3 That a vagabond after his second conuiction shall not haue his clergie, S. Clergie. 3.

Viewe.

Viewe shall not bee graunted, but in case where the viewe is necessary: As if one loose land by default, and hee that loseth, bringeth a writ to demaund the same lande: And in case where one by an exception dilatorie, abateth a writ after the view, as by nontenure, or misnaming of the towne, or such like, if he purchase another writte, in this case and in the case before mencioned, the view shall not be granted, if he had view in the first writtes. In a writte of dower, where the demaunde is of lande that the husbände aliened to the tenaunt or his Auncestors, where the tenaunt ought not to bee ignorant what land the husbände did alien to him or his Auncestor, though the husbände dyed not seysed, yet viewe shall not bee graunted. In a writ of entrie also that is abated because the demaundant misnamed the entrie, if he purchase an other writ of Entrie, if the tenant had viewe in the first writte, hee shall not haue it in the seconde. In all writtes also where landes bee demaunded by reason of a Demyse made by the Demaundant or his Auncestour vnto the tenant, and not to his Auncestour as that he demysed to him being within age, not whole of minde, being in prison, and such like, view shall not bee graunted: But if the demise were made to his Auncestor, the view shall lye as it hath done before. West. 2, 13. Ed. 1, 48.

In what cases view is grauntable, & in what not.

Villenage & Villaines.

Villenage may bee pleaded, and a villaine may bee seysed by his Lord, though the villaine haue a writte of Libertate probanda hanging, 25. Ed. 3, 18. vpon their Lords request special commissions shall be graunted to the Iustices of peace, or other sufficient persons to enquire of Villaines which do vse themselves rebelliously, & will not bee iustified by their Lordes. And also of their counsellors & maintainors, which commissioners shall haue power, to heare and determine the same, and to imprison the offenders, 1, R. 2, 6,

Commissions to enquire of misdemeanors of villaines.

2 **¶** Though

Villaines
suing their
Lords.

2 **T**hough any mans villaine doe flye into any Citie, Towne, or place infranchised, & do saue any suit against his Lord to the intent by that meanes to become free, yet the Lord shal not bee barred of his villaine, because of his answere in lawe. 9. R. 2. 2.

Comsance of
villinage.

3 **N**o writ shalbe abated by an exception of cognisance of villenage, if the demaundant wil auerre that he which alledged the exception was free the day of the writ purchased. 37. Ed. 3. 17.

Vitales. Vitailers.

Vitales
brought to
London.

Every man that bringeth vitales whatsoeuer they be, to the Citie of London, by lande or by water, may freely sel the same to whom it shall please him, without being interrupted or impeached by any Fisher, Butcher, pulter, or any other whatsoeuer. And the Mayor and Aldermen of the said citie may rule & redresse the defaults of Fishers, butchers, & pulters, as they doe of those which sell bread, ale, or wine. 31. Ed. 3. 10. 7. R. 2. 11.

Aliens bring
ing in vitale
may sel them
in grosse, or by
retaille.

2 **A**ll Forreins and Aliens being in friendship with the Queene and the Realme, and comming within the Citie of London and other Cities, Boroughs, and Townes within the Realme, aswell within liberties, as without, with fish and all other vitales, and there tarrying and returning againe to their owne countries, shall bee vnder the Queenes safegard, and special protection. And it shall bee lawfull to them and euery of them to cut their fish, and vitales in pieces and in part, by retaille, or in grosse, as it shall seeme best vnto them to sell the same, and make their profit thereof without the hinderance or contradiction of any man. 6. R. 2. 10. 1. H. 4. 17. And if any man disturbe any forreine or alien to sell their fish in grosse, or by retaille, in part, or in the whole, contrary to the foresayde ordinance, and is thereof attainted at the Queene, or the parties suit, hee shall forf. xl. li. And hee that will sue for the Queene or for him selfe shall haue the one halfe, and the Queene the other. And he that wil sue for the Queene or himselfe, for any offence committed within the citie of London contrary to the foresaid statute, may sue in what countie he will of the Counties of Middlesex, Hartford, Essex, Kent, Surrey, or in the citie of London. 14. H. 6. 6.

The prices of
vitails assigne
ned by the
Iustices of
peace.

3 **V**itailers shall haue reasonable gaine, and no more, according to the limitation & discretion of the Iustices of peace, vpon paine to bee grievously punished after the discretion of the same Iustices where no paine is limited in certaine. 13. R. 2. 8.

Vitails shalbe
sold at reason-
able prices,

4 **B**utchers, Fishmongers, Hostlers, Brewers, Bakers, Pulters, and all other sellers of all maner of vittaile, shall be bounde

to sell the same vitaille for a reasonable price, having respect to the price that such vitaille is solde at in the places adioyning, so that the same sellers haue a moderate gaine, and not excessive, reasonably to be required, according to the distance of the place from whence the sayde vitailles be carried, and if any sel such vitailles in any other maner, and thereof be conuict, he shal pay the double of the same that hee so receiued to the party dampnified, or in default of him, to any other that will pursue in his behalfe. And the Maiors, and Bailifes of Cities, Boroughs, Marchant townes, and of the Portes of the Sea, and other places, haue power to enquire of all and singuler which shall in any thing offende the same, and to leuie the sayd paine to the vse of them at whose suit such offenders shalbe conuict. And in case the same Maiors and Bailifes bee negligent in doing execution of the premisses, & thereof be conuict befoze the Queenes Iustices, then the same Maiors and bailifes shalbe compelled by the same Iustices to pay the treble of the thing so solde, to the partie dampnified, or to any other in default of him that will pursue. And also shalbe grieuously punished by the D. 23. Ed. 3. 6. And no person other then such Maiors, Bailifes, or gouernors, befoze rehearsed, hauing fraunchises, and surueying of vitailles, and correction of the same, or other intituled by point of charter, shal by colour of any letters patents vse any office of surueying, or correcting of vitailers within any Cities, Boroughes, or other places, vpon paine of forfaiture for euery default to the Queene and Informer forty pound, to be recouered by A. of debt, wherin no W. E. P. &c. 12. Ed. 4. 8.

Surueyors &
correctors of
vitailers.

5 Upon euery complaint made of any enhaunsing of prices of Cheese, Butter, Capons, Pennes, Chickens, and other vitailles necessarie for mens sustenance, without cause reasonable in any part of the Queenes dominions, the Lord Chauncelloz, the Lord Treasurer, the Lord President of the Queenes counsell, the Lord Priuie Seale, the Lord Steward, the Lord Chamberleine, and all other Lords of the Queenes Counsell, the Treasurer, and Comptroller of the Queenes house, the Chauncelloz of the Duchy of Lancaster, the Queenes Iustices of either Bench, the chauncelloz, Chamberleines, vnder Treasurer, and the Barons of the Queenes Eschequer, or seuen of them at the least, wherof the Lord Chauncelloz, the Lord Treasurer, the Lord President of the Queenes Counsell, or the Lord Priuie Seale, to be one: haue power from time to time, as the case shall require, to set and take reasonable prices of all such kindes of vitailles aboue specified, how they shalbe solde in grosse, or by retaile, for reliefe of the Queenes subiects, and after such prices set and taxed in forme aforesaid,

The prices of
vitailles assess-
sed by the M.
Counsellors
& Officers.

aforesaid, proclamation shalbe made in the Queenes name, vnder the great seale, of the said prices in such part of this Realme, as shalbe convenient for the same. 25. H. 8. 2.

They which haue vitailles to sell, must sell them at the price taxed.

6. ¶ Al fermors, owners, broggers, and al other vitailers keeping any of the kindes of vitailles afore rehearsed to the intent to sell, shall sell the same to such the Queenes subiects, as will buy them, at such prices as shall bee set by the sayde Proclamation, vpon the paines to be limitted in the sayd Proclamation to be forfeited, and leuied to the Queenes vse, in such wise as by the same Proclamation shalbe declared. 25. H. 8. 2.

Head officers of corporate Townes may set prices of vitailles.

7. ¶ This acte shall not bee hurtfull to Maiors, Bailifes, or other Officers of Cities, Boroughs, & townes corporate, nor to any persons, or bodie polittique hauing authoritie to set prices of such vitailles or of any of them, but they and euery of them may set prices thereof, as if this Act had neuer bene made. 25. H. 8. 2.

No vitailles shalbe transported with out licence.

8. ¶ No person or persons (unlesse it be by licence vnder y^e Queens great seale) shal carry or conuey, or cause to be carried or conueyed, any Corne, Beenes, Buttons, beales, porkes, butter, capons, hennes, Chickens, or other vitailles necessarie for mens sustenance, to any the partes beyond the Sea (except only for vitailing of Masters, Mariners, and marchantes of shippes passing the Seas, and also except barrelled butter, and meale to be carried to the parties of Ireland, as hath bene accustomed), vpon paine of forfeiting of the value of the thing caried contrary to this act, to the Q. & I. &c. to bee recovered by A. I. &c. wherein no W. C. P. &c. 25. H. 8. 2. For the transporting of corne. S. Corne. 1. 2. 6. 7.

How the prices of vitailles shal be assessed when a vitailer is chiefe Officer.

9. ¶ No Officer in a Citie or Borough, which by reason of his office ought to keepe the Assise of wines & vitailles, so long as he shall be in office shal sel wine or vitailles in grosse, or by retails, vpon paine to forfeit the thing sold to the Queene, whereof the third part shall bee deliuered to him that sued the offender. 12. Ed. 2. 6. But whensoever any vitailer is chosen to beare any office within any City, Borough, or Towne corporate, which for the time that he shalbe in such office should haue the assessing and correction for selling of vitailles, then two discreete and honest persons of the same city, borough &c. neither of them being a vitailer, shalbe chosen by the comminaltie of the same Citie, Borough &c. in like forme as the saide Officer shalbee chosen, which two persons with the said officer shalbe swoyne truely to selle and set the prices & assises of vitaille there for the time that any such vitailer shal abyde in the sayde office. And then it shal bee lawfull to euery of the sayd officers after the same vitailles be set and assessed by the

the same officer & the sayde two persons or one of them (the other being absent) to marchant and sell wines & all other vitailles in grosse & at retaile during the time hee shall bee in any such office, without any thing therfore to forfait, the foresaid statute of 12. Ed. 2. or any other statute notwithstanding. An. 3. H. 8. 8.

10 But this act shall not extend to discharge any minister of the Cities of London, Wyke, and Couentrie, nor none of them for any wine or vitaille, to be sold by any retaile within any of the saide Cities. 3. H. 8. 8.

London.
Wyke.
Couentrie.

1 A remedy against conspiracies made by vitailers for selling their vitaille. S. Artificers. 1. 2. Corporations 7.

2 That no vitailer shall bee a taker for the Queenes carriage. S. Purueyours 12.

3 When and in what cases corne and other vitaille may be transported, and when not. S. Corne.

Vpholsters.

NO person shall make, to the intent to sel, or offer to bee sold, any featherbed, bolster, or pillowe, except the same be stuffed with dry pulled fethers, or cleane down only, without mingling of scalded feathers, fen downe, thistle downe, sand, lyme, grauell, bulawfull or corrupt stuffe, haire, or any other, vpon paine of forfaiture of all such featherbeds, bolsters, & pillowes, and euery of them so offered to be sold, or the value thereof to the D. & J. to be rec. by A. J. & c. wherin no W. C. P. & c. 11. H. 7. 19. 5. Ed. 6. 23.

What stuffe
shalbe put in
fetherbeds, bol-
sters, pillowes

2 No person shall make, to the intent to sell, or offer, or put to sale, any Quilt, Matresse, or Cushions, which shall bee stuffed with any other stuffe, then fethers, woodl, or flockes alone, vpon paine of forfaiture of al & euery such quiltes, matresses, or cushions so solde or offered to be sold, or the value thereof to the D. & J. & c. to be recovered by A. J. & c. wherin no W. C. P. & c. 11. H. 7. 19. 5. Ed. 6. 23.

What stuffe
shalbe put in
quiltes, matres-
ses, cushions.

Vles.

Where any person or persons be or shalbe leysed of, and in any lands, tenements, rents, seruices, reuerfions, remainders, or other hereditaments, to the vse, confidence, or trust of any other person or persons, or of any body politike by reason of any bargaine, sale, feoffement, fine, recovery, couenant, contract, agreement, will, or otherwise by any meanes whatsoeuer. In euery such case, euery such person & body politike, that haue or shall haue any such vse, confidence, or trust, in fee simple, fee taile, for terme of life, of peeres, or otherwise,

The estate in
possession con-
ueyed to him
that hath the
vse.

otherwise, or any vse, confidence, or trust in remainder, or reuerter, shall stand and be adiudged in lawfull seison, estate and possession, of, and in the same landes &c. and hereditaments with their appurtenances, to all intents, of and in such like estates, as they had or shall haue in vse, trust, or confidence, of, or in the same. And the estate, title, right, and possession that was in the that were, or shalbe seised of any lands, tenements, or hereditaments, to the vse, confidence, or trust of any other, shalbe adiudged to be in him, or them, that haue, or shal haue such vse &c. after such maner and conditon, as they had befoze, in or to the vse &c. that was in them. 27. H. 8. 10.

Assurance
made to di-
uers to the vse
of one of them

2 **¶** Where diuers persons be, or shall be ioynely seised of and in any landes, tenements, rents, reuerfions, remainders, or other hereditaments, to the vse, confidence, or trust of any of them, that bee so ioynely seised, then he or they, which haue, or shall haue any such vse &c. shall haue only to him or them such estate, possession and seison of and in the same landes or other hereditaments in like maner, conditon and course, as he or they had befoze in the vse of the same landes &c. 27. H. 8. 10.

Sauing of o-
ther mens
right.

3 **¶** Sauing to all & singuler persons, and bodies politike, their heires and successors, (other then those which bee or shalbee seised of any landes &c. to any vse,) all such right, title, entre, interest, possession, rentes, and accion, as they, or any of them had, or might haue had befoze the making of this act. And also sauing to all persons and to their heires, which bee, or shalbee seised to any vse, all such former rights, titles, interest, possession, rents, customes, seruices, and accions, as any of them might haue had to his owne vse, in or to any landes, tenementes, rentes, or hereditaments whereof they bee or shalbe seised to any other vse, as if this act had neuer bene made. 27. Hen. 8. 10.

Land assured
befoze the sta-
tute, to the vse
that yet should
be paid out of
the same.

4 **¶** Where diuers persons bee seised of, and in any landes, tenements, or hereditaments in fee simple, or otherwise, to the vse or intent, that some other shall haue peerely to him and to his heires one annual rent out of the same landes &c. and some other one other annual rent to him & his assignes for terme of life, yeres, or for some other speciall time, according to such vse as hath bene heretofore declared: in euery such case the same persons, their heires and assignes that haue such vse, and interest, to haue such rent out of such landes &c. shalbe adiudged to be in possession of the same rent, of & in such like estate as they had in the title, interest, or vse of the sayde rent, or profit, & as if a sufficient graunt, or lawfull conueiance, had bene made and executed to them by such as were or shalbe seised to the vse of any such rent,

rent, and all such persons as haue or shall haue any title, vse, and interest, in or to any such rent or profit, shall lawfully distrayne for non payment of the same rent, and in their owne names make auowries, or by their bayliffes or seruants make cognisances and iustifications, & haue all other suites, entries, and remedies for the rents, as if y^e same rents, had bene actually and really granted to them with sufficient causes of distresse, reentrie, or otherwise, according to such conditions, paynes, or other thinges appoynted vpon the trust for payment, or suretie of such rent. 27. H. 8. 10.

¶ Usurie.

NO person shall by himselfe, factor, atturney, seruant, or deputie, sell his marchandizes or wares to any person or persons, and within iii. monethes next after by himselfe, or by any other to his vse buy the same marchandizes or wares or any parcell thereof, vpon a lesser price, knowing them to bee the same, that hee before did so bargain or sell, vpon the paynes and forfeitures hereafter limited in this statute. 37. H. 8. 9.

Selling of
wares & buy-
ing the agai-

2 **N**O person by way of any corrupt bargaine, lene, exchange, cheuisance, shift, interest of any wares, marchandize, or other thinges whatsoeuer, or by any other corrupt or deceitfull way or meane, or by any couin, Angin, or deceitfull way of conueyance, shall haue, receiue, or take lucre or gaynes, for the forbearing or giuing day of payment of one whole pere, of, and for his money or other thing that shalbe due for the same wares, marchandizes, or other thinges aboue x. li. in the C. and so after the rate & not aboue, of, and for a more or lesse summe, or for longer or shorter time, and no more or greater gayne or summe thereupon to bee had: vpon the paynes hereafter limited &c. 37. H. 8. 9.

No man shall
take aboue x
li. for y^e forbear-
ing of C. li.
one pere.

3 **I**f any person doe bargain and sel, or lay to mortgage by any way, any manors, landes, tenements, or hereditaments, to any other vpon condition of payment, or non payment of any summe of money to be made at any day certaine, or before any such day, by him that shall so bargain, sel, or lay to mortgage the same landes, &c. the same person to whom any such landes, &c. shalbe so bargayned, solde, or layd to mortgage, shall not by reason thereof, haue ne take in lucre, or gaynes of the issues, reuenues, and profits of the same landes &c. aboue x. li. in the C. for one whole pere, and so after the rate abouesayd, for a more or lesse summe, for a longer or shorter time, and no more, or otherwise, vpon the paynes hereafter limited. 37. H. 8. 9.

No one shall
take aboue x
li. for y^e forbear-
ing of C. li.
for a pere by
on sale or mo-
gage of land

4 **I**f any person shall do any act or thing contrarie to the tenor,
33. i. forme,

The forf. of the
offendours in
the premises.

for me, and effect of this statute, or any clause, article, or sentence con-
teyned in the same, then euery offendour therein, or in any part thereof,
shal forfeyte for euery such offence the treble value of the wares, mar-
chandizes, and other thing or things so bargayned, solde, eschanged or
shifed, and the treble value of the issues and profits of the said lands,
tenements, and hereditaments, so taken, had, or receyued by reason of
any such bargayne, sale or mortgage, to the Q. & J. to be recouered by
A. J. & c. wherein no W. C. P. & c. And also shal suffer imprisonment
of his body, and make fine and ransome at the Queenes pleasure. 37.
H. 8. 9.

To these bands
and assurances
the stat. ex-
tendeth not.

5 ¶ But this act shal not extend to any lawfull oblygation indor-
ced with a condition, nor to any statute or recognisance made for the
payment of a lesse summe, so that the same be made for a true, iust, and
a perfect debt, or for the performaunce of any other true couenants
made betweene the parties, other then in cases of vsury, interest, cor-
rupt bargaynes, shift or cheuisance, Ne yet shal extend to any recoue-
rie, fine, feoffement, release, confirmation, or graunt made vpon condi-
tion, with a true intent, other then to such as shalbe made vpon condi-
tion extending to vsurie, interest, corrupt bargaines, shiftes, or cheui-
sance. 37. H. 8. 9.

All assurances
therby aboue
li. in p. C. li.
shalbe relieved
re boyde.

6 ¶ All bands, contracts, and assurances collaterall or other, to be
made for payment of any principall, or money to be lent, or couenant
to be perfourmed, vpon, or for any vsurie in lending, or doing of any
thing against the sayde act of 37. H. 8. vpon or by which lone, or do-
ing, there shall be reserued or taken aboue the rate of x. li. for the C.
for one yere, shalbe utterly boyd, and the same statute of 37. H. 8. shall
be most largely and strongly construed for the repressing of vsurie
and agaynst all persons that shall offend agaynst the true meaning of
the sayd statute, by any way or deuise directly, or indirectly. 13. El. 8.
27. El. 11.

Brokers, So-
citors, & di-
ers of bar-
aines.

7 ¶ All Brokers, Solicitors, and diuers of bargaynes, for con-
tracts, or other doings agaynst the sayd stat. of 37. H. 8. whereupon
shalbe reserued or taken more then after the rate of x. li. for the lone of
C. li. for a yere, shalbe to all intents iudged, punished and vled as coun-
cellors, atturneyes, or aduocates, in any case of Præmunire. An. 13.
El. 8. 27. El. 11.

8 ¶ All Usurie, loane, and forbearing of money, or giuing dayes
for forbearing of money, by way of loane, cheuisaunce, shiftes, sale of
wares, contract, or other doings whatsoeuer, for gayne, mencioned
in the sayde statute of 37. H. 8. whereupon is not reserued or taken
or couenanted to be reserued, payed, or giuen, to the lender, contractour,
shifter,

shifter, forbearer, or deliuerer, aboue the summe of x.li. for the loane, or forbearing of a hundred pounce for one yeere, or after that rate for a moze, or lesser summe or time, shalbe punished in forme following, viz. ^{He that taketh x li. or lesse in the C. shal forfeite the interest onely.} Every such offendor agaynst this braunch of this present statute shall forfeite so much as shalbe reserued by way of vsury aboue the principall, for any money so to be lent or forborne, al such forfeitures to be recovered and employed as is limitted for forfeitures by the sayd former statute of 37.H.8. And every person offending in vsurie, shifter, or cheuisance agaynst this act, and not taking but onely after the rate of x.li. in the C. or vnder for a yeere, shall be onely punished by the paines and forfeitures prouided by this act, agaynst such as shall not take aboue the rate of x.li. in the C. for a yeere, and not otherwise. 13. El.8. 27. El. 11.

9 **I**f any person shall offend contrary to the said stat. of 37.H.8. ^{Punishment by the ecclesiasticall law.} then he shall, and may also be punished according to the ecclesiasticall lawes heretofore made agaynst vsurie. 13. El.8.

10 **T**his statute doeth not extend vnto any allowances for the finding of Orphanes, according to the auncient customes of the Citie of London, or any other Citie, where like order is for the custodie of Orphanes and their goods, as is in the sayde Citie. 13. El.8. 27. El. 11. to continue till the ende of the next Parliament now next ensuing.

¶ Wager of lawe.

No Baylife shall put any man to his open lawe, nor to his othe, ^{He þ wagrth his lawe, must bring others to sweare with him.} vpon his owne bare report, without faythfull witnessess brought in for the same. Mag. Chart. 9.H.3. 28.

2 **I**f any person be greued or attached by his body in London by any of the same Citie, surmising the defendant to be his debtor, & ^{if a man may wage his law against Londoners papers.} that he will proue by his papers, hauing neither deed nor taylor, in this case the defendant shalbe receyued to his lawe, by people of his owne condicion agaynst such papers, and the creditor shall take suretie by some other way if he will, without putting the partie to pleade to an Enquest, if he will not of his owne good wil. 38. Ed. 3. 5. But by the custome of London, if the debtor set his hand to the creditors booke, he cannot wage his law. And the customes of the same Citie be confirmed by 14. Ed. 3. 1. and diuers other statutes.

3 **I**n an action of debt brought vpon the arrerages of accompt, ^{Wager of lawe in debt vpon the arrerages of accompt.} the Iustices of the Queenes court and other Iustices befoze whome such suites and actions shalbe in Cities and boroughs sued and taken, haue power to examine the Atturneyes & other whom it please them, and thereupon to rescue the defendants to their lawe, or to trye the matter

matter by enquest, according to the discretion of the same Justices and Judges. 5. W. 4. 8.

¶ Wales.

Wales annexed to England

The D. countrey or dominion of Wales shall stand, and continue for ever incorporated, united, and annexed, to & with this realme of England, and all and singular person and persons borne and to be borne in the sayd principallitie, countrey, or dominion of Wales, shall haue, enioy, and inherite all and singular freedoms, liberties, rights, priuiledges, and lawes, within this realme, and other the D. dominions, as other the D. subiects naturally borne within the same, haue, enioy, and inherite: and the lawes, ordinances, and stat. of this realme of England for ever, and none other, shall be had, vsed, practized, and executed in the sayd countrey or dominion of Wales and euery parte thereof, in like maner, forme, and order, as they ben and shall be in this realme, and in such like maner and forme as hereafter shall be further established and ordeyned. 27. W. 8. 26.

English lawes used in Wales

Wales deuised into shires and hundreds.

2 **T**he D. dominion, principallitie, and countrey of Wales is deuised into xii. shires, of the which eight haue bene shires of long & ancient time, v. Glamorgā, Carmarthen, Penbroke, Cardigan, Flint, Carnaruan, Anglesey, and Meryoneth. And 4. were newly ordeined by the stat. of 27. W. 8. 26. v. Radnor, Brecknocke, Mountgomerie, & Denbigh, ouer and beside the shire of Monmouth, and diuers other dominions, Lordships, and manors in the Marches of Wales, united and annexed to the shires of Salop, Hereford, and Gloucester, & ouer and besides the towne of Hauerford west, which is a countie in it self. And the limitations of hundreds made within the sayde shires by vertue of the commissions of R. Henry the eight, directed out of his court of Chancerie, and againe returned into the same, shall stande in full strength and force, according to the sayd limitation, except such of the same, as sith that time hath bene altered by vertue of any act of Parliament. 26. W. 8. 26. 34. W. 8.

President and Counsel.

3 **T**here shall be, and remayne a President and counsaile in the sayd dominion and principallitie of Wales & the Marches of the same, with al officers, clerkes, and incidents to the same, in maner and forme as hath bene heretofore vsed, which President and counsell shall haue authoritie to heare and determine by their discretions, such causes and matters as be or hereafter shall be assigned to thē by the D. & c. as heretofore hath bene vsed. 34. W. 8.

Sessions twice in the yere.

4 **T**here shall be kept Sessions twice in euery yeere in euery of the sayde twelue shires, in the sayde dominion and principallitie of Wales, the which Sessions shall be called the Queenes great Sessions

sions in Wales, the Justice of Chester for the time being shall holde
 and keepe Sessions twice in every yere in the Shires of Denbigh, ^{Denbigh.}
 Flint, and Mountgomerie, and haue nothing but his old fee of C. li. ^{Flint.}
 perely for the same. The Justices of Northwales shall in likewise ^{Mountgomerie.}
 holde and keepe Sessions twice every yere, in every of the shires of
 Carnaruan, Merioneth, and Anglesey, and shall haue of the Q. a yere. ^{Carnaruan.}
 ly fee of fiftie pound for the same. One person learned in the lawes of ^{Merioneth.}
 this Realme of Englande by the Q. to be appoynted shall be Justice ^{Anglesey.}
 of the Shires of Radnor, Brecknocke, and Glamorgan, and shall in ^{Radnor.}
 likewise holde and keepe Sessions twice in every yere, in every of the ^{Brecknocke.}
 same Shires, and shall haue perely of the Q. fiftie pound for his fee. ^{Glamorgan.}
 One other person learned in the lawes of this Realme to be appoynt-
 ed as is aforesayd, shall be Justice of the shire of Carmarthen, Pem- ^{Carmarthen.}
 broke, and Cardigan, and of the Towne and Countie of Haverforde ^{Pembroke.}
 west, and shall in likewise holde and keepe Sessions twice in every ^{Cardigan.}
 yere, in every of the same shires, and shall also haue perely of the Q. ^{Haverford.}
 fiftie pounce for his fee. The sayde persons or Justices, and every of ^{The Justices}
 them shall haue seuerall letters patents and Commissions for theyr ^{commissions}
 offices, vnder the Queenes great seale of Englande, to be exerci- ^{vnder the}
 sed by themselves, or their sufficient deputies, according to the pur- ^{great seale.}
 pose and intentes in their ordinances specified. Anno 34. Henrici
 octau.

5 **T**he Queene, her heires and successors may and shall at her ^{The Queene}
 or their pleasure constitute or appoynt two or more learned as aforesayd ^{may appoint}
 in the lawes of this Realme to be Justices, of and for the sayde ^{ii. Justices for}
 Counties of Chester, Flint, Denbigh, and Mountgomerie, and two ^{every circuite,}
 or more learned &c. to be Justices of Northwales, viz. of and for the ^{or graunt asso-}
 sayd shires of Anglesey, Carnaruan, and Merioneth. And lyke- ^{ciation.}
 wise two or more learned &c. to be Justices of and for the sayde Cir-
 cuit and Shires of Radnor, Glamorgan and Brecknocke, and also
 two or more learned &c. to be Justices of and for the sayd circuite and
 Shires of Cardigan, Carmarthen, and Pembroke, and the Towne
 and Countie of Haverforde west, any lawe, statute, &c. notwithstanding.
 And her Maiestie, her heires and successors may and shall, at her
 and their pleasure from time to time associate and graunt Commis-
 sion, and commissions of association or associations vnder y^e great seale
 of England, to any person or persons learned, as aforesayd, to be asso-
 ciate to or with every or any such seuerall J. or Justices for the time
 being, of the sayd seuerall circuites and counties aforesayd, or in any
 of the sayd Counties. 18. El. 7.

6 **E**very of the sayd Justices within the limits of their Com-
 missions

Of what
things Justices
may holde
plee.

missions and authorities to them appoynted, as is aforesayd, shal hold
all maner of ples of the Crowne, at & in the said sessions in as large
and ample maner, as the Queenes chiefe Justice of England, and o-
ther the Queenes Justices of the Kings bench there, or any of them
may doe in their places or els where within the realme of Englande.
And also shal hold ples of assises and all other ples, and actions re-
all, personall and mixt, in as large and ample maner, as the Q. chiefe
Justice of the common ples in Englande, and other J. of the same
ples, or any of them may do in the realme of England. And euery of
the sayd Justices of Wales, shal haue authoritie to enquire of al trea-
sons, murders, felonies, ryots, routs, vnlawful assemblyes, extortions,
embraceries, maintenance, retaynors, concealements, contempts, and
all other offences, and euill deedes, of what natures, names, or qualy-
ties soeuer they be done, committed, or perpetrated within the lymits
of their commissions and authorities, agaynst the forme of the Com-
mon lawe of the realme of England, or of any stat. of the same, and
to heare and determine the pmisses and euery of them, and general-
ly to minister common Justice, to all and singular the Q. subiectes
within the limits of their Commissions, and authorities according to
the lawes, statutes, and customes of the Realme of Englande, and ac-
cording to this present ordinance of. 34. H. 8. And al & euery such two
Justices or moze, to be appoynted by the Queene, her heires and suc-
cessors (according to the statute made. 18. El.) within euery of the
sayde seuerall circuites and counties. And also euery such Justice or
Justices, together with such person or persons associate (if any such
association or associations shal happen to be as aforesayd) during such
association, and after such association ended, or without such associati-
on, such Justice or Justices shal haue the lyke power and iurisdic-
tion to al intents and effects, as any one Justice within any of p sayd
circuites or shires aforesayd, now hath, or at any time heretofore had
or ought to haue. And also shal haue like power and iurisdiction to
keepe and holde the seuerall Sessions aforesayde twice in euery yere,
in euery of the sayd shires, within their seuerall circuites aforesayde,
& to heare, determine, order, award, adiudge, receiue, take knowledge
of, and execute, all and singular causes, matters, ples of assises, trea-
sons, murders, felonies, indictments, appeales of murder, felony and
maymes, actions reals, personals, and mixt, suites, plaints, informati-
ons, quarels, attayntes, conspiracies, Quare impedit, and all actions
grounded vpon any stat. or statutes, writs, proces, returnes, essoynes,
verdicts, iudgements, fines, acknowledges, confessions, warrants, &
executions, actions, and actes whatsoeuer, and to doe, perfourme, ob-
serue,

serue, accomplish and make all and euery other act and actes, matter and matters, thing and thinges whatsoeuer, in lyke, and in as ample, beneficiall, lawfull and effectuell maner and forme, to all constructions, qualtyes, intents and purposes, as any of the nowe seuerall Iustices, or any one of the now Justice or Iustices within the same seuerall circuit or circuites and counties aforesayde, may, ought, hath, or might lawfully doe, by force of any law, vsage or stat. heretofore had, made or vled before the making of this act. And all & singular writs, proces, returnes, essoynes, verdicts, iudgements, fines, recoueries, recognisances, acknowledges, confessions, act and acts, thing & thinges, matter & matters as aforesayd, had, made, taken, done, returned, heard, determined, awarded, adiudged or executed, by or before any such two Iustices or more, or any such Justice or Iustices, and associate or associates as aforesayd, to be appoynted, nominated, authorized, or constituted as aforesaid, shalbe allowed, taken, construed, expounded, and adiudged, as good, effectuell, and auayleable to all intentes, constructions, and purposes, as if the same had bene had, made, taken, done, returned, heard, determined, awarded, adiudged, or executed, by, or before any such one Justice, or one of the Iustices now, or late being Justice or Iustices of the same circuit or seuerall circuites aforesayd, any law, vsage, statute &c. notwithstanding. 18. El. 7.

7 **E**uery of the sayd Sessions shalbe kept and continued by the space of vi. dayes in euery of the sayd shires, at eyther of y^e said times, as is and hath bene vled within the sayd thre shyres of Northwales. And the sayde Iustices shall cause open proclamations to be made in the shire townes, what time and place they purpose to keepe their said Sessions fyteene dayes at the least before they keepe the same, to the intent the Queenes subiectes may haue knowledge thereof. 34. H. 8.

Sessions kept
vi. dayes.

8 **D**ayes shall be giuen in all ples, playntes, proces, and adiurnments from day to day, and Sessions to Sessions, by the discretion of the sayd Iustices within the lymits of their authorities, for the good and speedy ministracion of Justice, to al & singular the Queenes subiectes as is or hath bene vled in Northwales. And the issues taken before the sayd Iustices in ples personall, which cannot be tryed before them in time of their great Sessions, for breuitie of time, shall and may be tryed at a petie Sessions, before the Deputie Iustices there, as is and hath bene vled in the thre shyres of Northwales, (except such of the sayd suites as by the discretion of the sayde Iustices shalbe thought necessary, to be tryed before themselves, within their limits,) 34. H. 8.

Proclamatio
vi. dayes be-
fore the Sessio-
ns.

Dayes in
court.

Issues tried in
petie Sessions

9 **T**he Queene shall haue all fines, issues, amerciements, and
33. liii. all

Mues, amerciaments.

all forfeitures of recognisances lost, or forfeited, before any of y^e said Justices in the sessions aforesayd. And the Provenotaries within the limits of their offices, shal verely extreate the same into the Eschequer appoynted for that limit, to the intent that proces from thence may be awarded to the sherifes to lewie the same to y^e D. vse, as apperteineth, which sherifes shal verely make their accompts before the D. Auditors thereunto assigned. 34. H. 8.

Original seals.

10 ¶ One originall seale deuised by the D. for Justice to be ministred in the sayd iii. shires of Northwales, v^z. the shires of Merioneth, Carnaruan, and Anglesey, shalbe and remaine in the charge and custodie of the Chamberlaine of Northwales. And one other originall seale &c. for the sayd shires of Carmarthen, Penbroke, and Cardigan, shal be and remayne in the charge and keeping of the Chamberlaine of Southwales. And likewise one other originall seale &c. for the sayd iii. shires of Brecknocke, Radnor, and Glamorgan, shalbe and remaine in the charge and custodie of the Stewarde and Chamberlaine of Brecknock. And also one other original seale &c. for y^e said shires of Denbigh & Mountgomerie, shalbe & remaine in y^e charge & custodie of y^e Steward & Chamberlaine of Denbigh. And y^e originall seale of Chest. shalbe & stand for y^e originall seale of Flint, for Justice to be ministred in y^e sayd shire of Flint, & shalbe & remain in y^e charge, keeping, and custodie of y^e Chamberlaine of Chester. 34. H. 8.

What shal be sealed with the original seales.

11 ¶ The said Stewards & Chamberlaines, shal seale with the sayd seales, that is to say, euery one of them shal seale with the seale to his charge committed, all maner of originall writs and proces returnable before the sayd Justices, at the Sessions to be holden in euery of the sayd shires, in maner and forme as is aforesayd. And shal seuerally accompt and answer the D. for the profits of the same seale. And none of the sayd Stewards, Chamberlaines, or Chancelors, hauing the charge and keeping of the sayd seales, shal by occasion thereof, or by colour of any of their offices, compel, or cause any person inhabited within any of the sayd xii. shires, to appeare before theselues, or their deputies. He shal haue power to heare or determine any pleges of the crowne, nor other causes or matters of Justice, otherwise then in this ordinance is limited: But shal haue the charge and keeping of the said seales, to seale all originall writtes and proces, as shalbe returnable before the sayd Justices in their sayd sessions, as is afore specified, and as hereafter shalbe declared, which writs and proces shalbe v^{se}d, made, sealed, and returned in maner and forme, as hath bene v^{se}d before the Justices in Northwales. 34. H. 8.

12 ¶ All such persons as be or shalbe the Queenes Stewards, Cham.

Chamberlaines, or Chauncellores, within any of the said **iii.** Shires, ^{proces as} which by reason of their sayde offices, haue charge for the receipt, col- ^{gainst accom-} lection, or accompt, of, and for the Queenes rents, reuenues, farmes, ^{counts.} or profitcs, to bee due to her Maiestie within the said dominion of Wales, may direct proces vnder the said seale being in their charge and custodie, within the limits of their aucthorities, only against Bailifes, Recues, Farmers, and other ministers accomptant to appeare before them selues, to aunswere to and for any y^e Queenes reuenues, fermes, rents, or profitcs, and for none other causes, nor against any other person or persons in like maner, as they haue bene accustomed in that case to do. 34. H. 8.

13 **C** Besides the sayd originall seales, there shall be **iiii.** Iudiciall ^{iiii. Iudiciall} seales, deuised by the Q. whereof one shall remaine wyth the Iustice ^{seales.} of Chester, which is apointed to be Iustice of Flint, Denbigh, and Mountgomery, to be vsed within the sayd shires, to seale all Iudiciall proces, and billes that shalbe sued before the sayd Iustices in the sessions to be holden within the same shires. And one other of the sayd iudiciall seales shall likewise remaine and be in the charge and custodie of the said Iustice of Northwales. And the thirde of the sayd seales shalbe and remaine in the custodie and charge of the Iustice of y^e **iii.** shires of Glamorgan, Brecknock, and Radnor. And the **iiii.** of the said seales, shal remaine in the charge and custody of the Iustice of the said **iii.** shires of Penbroke, Carmarthen, & Cardigan. And the sayd Iustices shal seale with the said Iudiciall seales, v^{z.} euery of them with the ^{what shalbe} seale committed to his charge and custodie, aswel al billes, as al other ^{sealed with the} Iudiciall proces, that shalbe sued before them in the said Sessions, vpon any originall bills or writs. And all other proces that shall bee awarded from any of the said Iustices, shalbe sealed with the said Iudiciall seale. 34. H. 8.

14 **C** Euery of the said Iustices shal accompt and aunswere to the Q. for the profits of the said seale being in his charge and custodie, in ^{Iustices ac-} maner and forme as hereafter shalbe declared. 34. H. 8. ^{compt for the} ^{profitcs of the} ^{seales.}

15 **C** The Telle of euery bill & iudiciall proces, that shal passe vnder the said Iudicall seale, shalbe vnder y^e name of such of the said Iustices, from whom such bil or Iudiciall proces shal passe, in like maner and forme, as is vsed in the common plects in England. 34. H. 8. ^{Telle of Iudicall} ^{proces.}

16 **C** All actions reall and mixt, attaincs, conspiracies, assises, and Quare impedit, appeales of murder, and felony, and all actions grounded vpon any statutes, shalbe sued by originall writs, to bee obtained and sealed with the said originall seale, returnable before the said Iustices at their sessions, within the limits of their aucthorities, in ^{writs sealed} ^{with the origi-} ^{nall seale.} maner

maner and forme, as is before mentioned. 34. H. 8.

Personall actions of xl. s. or above.

17 ¶ All maner of personall actions, as debt, detinue, trespass, accompt, and such like, amounting to the summe of xl. s. or above, shall be sued by writs originall, to be obtayned and sealed, as is aforesaid, or by bills at the pleasure of the partie suing the same before the saide Justices within the limittes of their authorities, as is vsed in Northwales. 34. H. 8.

Personal actions vnder xl. s.

18 ¶ All personall accions, vnder the summes of xl. s. vj. debt, trespass, detinue, accompt & such like, shall & may be sued before any of the said Justices in the saide sessions by byll, as is vsed in Northwales, (But there shall no suite bee taken before any the said Justices, by bill vnder xx. s.) And euery originall bill concerning actions personals, shalbe sealed with the Queenes iudiciall seale, being in the custody of the said Justice before whom such personall actions, by byll shall bee brought and commenced. 34. H. 8.

No suit before Justices vnder xx. s.

Fees for writing & sealing of originall writs & bills.

19 ¶ Such fees shall be payed for the writing and sealing of such originall writs and bills, as hereafter shalbe expessed, vj. for the sealing of euery originall writ to be sued in and vpon the causes aforesayde, and for euery bill to be pursued in actions personalles, whereof y^e debt and daminages amounteth to the summe of xl. s. or above, the parties pursuing the same, shall pay for the seale of euery such writ or byll, vi. d. & for euery iudiciall proces to be sued vpon any such writ or bill, the parties pusuing such iudiciall proces, shal pay for the sealing thereof vii. d. whereof the Queene shall haue vi. d. And the Justice sealing such iudiciall proces shall haue i. d. And euery bill in personal actions whereof y^e debt, duetie, or damage amounteth not to xl. s. & all maner iudiciall proces to be sued vpon the same, shall also be sealed with the Queenes said iudiciall seale, and the parties pursuing the same, shall pay for the seale of euery such bill, and iudiciall proces thereupon to be sued, iii. d. whereof the Queene shall haue ii. d. and the Justice sealing such proces, shal haue i. d. An. 34. H. 8.

Proces sealed with the iudicial seale, & the fees.

20 ¶ All writs of Scire facias, and writtes of good abearing, or for the peace, or writs of Superfedeas vpon the same, and all other proces to be sued from y^e sayd Justices, vpon any recoorde or suggestion admitted by any of the sayd Justices within the limittes of their authorities, shall also be sealed with the sayde Iudiciall seale, and the parties pursued for the same, shall paye for the seale of euery such writ and proces seven pence, whereof the Queene shall haue sixe pence, and the Justice by whom such proces shalbe sealed one peny. And euery exemplification vpon any recoorde before any of the sayde Justices shalbe sealed with the Queenes iudiciall seale, and the parties

Exemplification.

ties pursuing the same, shall pay for the seale thereof twenty pence, whereof the Queene shall haue sixteene pence, and the Iustices sealing the same foure d. 34. W. 8.

21 **R**ecoueries, and fines, concordies, and warrants of attourney for the same, shall and may be taken before euery of the sayde Iustices of lands, tenements, and hereditaments within his authority, by force of his generall commission, without any writ of Dedimus potestatem to be sued for the same, in like maner and forme, as is vled to be taken before the Queenes chiefe Iustice of her comon place in England. And all fines leuied before any of the sayd Iustices, with Proclamation madey same sessions that the said fine shalbe ingrossed, and two other great Sessions then next to bee holden within the same Countrey, shalbe of the same force & strength to all purposes, as fines leuied with Proclamation be of, that be leuied before the Iustices of the common place in England. 34. W. 8.

Recoveries,
Fines.

22 **E**uery person suing writs of Entrie in the Post, or writs of Couenant, or any other writs for any recouerie to bee had by assent of parties or otherwise, or for any fine to be leuied, shall paye such fines to the Queenes vse for the same, aswell fines pro licentia concordandi, as all other maner of fines, as is vles in the Queenes Chauncerie, or els where in any of the Queenes Courtes of England: which fines shall be payed to such persons as shall seale the original writs for that purpose, and they shal accompt for the same, in like forme, as they shal do for the profits of the sayd original seale, as is aforesaid. 34. W. 8.

Fines for
writs of en-
trie, and coue-
nant.

23 **T**he Queenes siluer vpon euery fine to be leuied shall bee payed as is vled in the common place of England, viz. ii. s. which Queenes siluer shall be payed to the Iustice before whom such fyne shall be leuied, whereof the Queene shal haue xx. pence and the Pronotarie entering the same, shall haue ii. d. and the Iustice before whom such fine shalbe leuied, other ii. d. And the same Iustice shall accompt for the Queenes part thereof, like as he shal for the profits of the Queenes iudicial seale committed to his charge in maner and forme, as is aforesaid. 34. W. 8.

Queenes sil-
uer.

24 **A**ll errors & Iudgements before any of the sayd Iustices at any time of the great sessions, in plees reals, or mixt, shall be redressed by writ of Errour to be sued out of the Queenes Chauncerie of England, returnable before the Queenes Iustices of her bench in England, as other writs of Errour be in England. And all errors in plees personals shal be reformed by bills, to be sued before the sayde President & Counsel, of Wales from time to time, as the P. greued will

Errour.

will sue for the same, & if in case the iudgement be affirmed good in any of the said writs of Errour, or bills, then there to make execution, & all other proces thereupon, as is vsed in the kings bench in England, and the pursuants in euery such writ of Errour or bill, shall pay like fees therfore, as is vsed in England. 34. H. 8.

Falle iudgement.

25 ¶ No execution of any iudgement to bee giuen in any base Court shalbe staied or deferred, by reason of any writ of false iudgement, but execution shall and may be had and made at all tymes before the reuersall of the sayde iudgement, the pursuit of the sayde writ not withstanding, and in case the sayde iudgement happen after to be reuersed, then the party pursuant shall be restored to all that he hath lost, by the said iudgement, according to the lawes of y^e Realme. 34. H. 8.

Weighty causes.

26 ¶ All proces for urgent and weighty causes, shall be made and directed into Wales by the speciall commaundement of the Chauncelour of England for the time being, or any of the Queenes counsell in England as hath bene vsed, any thing in this act &c. notwithstanding. 34. H. 8.

4 Protenotaries

27 ¶ There shall bee iiii. Protenotaries for the making of all Iudiciall proces, and for the entering of all ples, proces, & matters of record in the sessions, to be holden before the said Iustices, whereof one of the sayde Protenotaries shal attend vpon the sayd Iustice appointed for the thre shires of Northwales. And one other shall attend vpon the Iustice assigned for the thre shires of Flint, Denbigh, and Montgomery, and the third shal attend vpon the Iustice assigned for the iii. shires of Carmarthen, Cardigan, and Pembroke, and the iiii. of the sayde Protenotaries shall attend vpon the Iustice assigned for the thre shires of Glamorgan, Brecknocke, and Radnor, and these iiii. Protenotaries, as often as their said offices shalbe void, shalbe named and appointed by the Queene, by her letters patents, vnder her great seale of England. 34. H. 8.

Protenotaries fees.

28 ¶ Euery of the sayd Protenotaries within y^e limits of their offices, shall take such fees as hereafter be expressed, viz. for the writing of ples, and ingrossing of writs of entrie in the Post, writs of right, Quod ei deforciat, or any other writs pursued by the assent of y^e parties, v. s. & if it be with a double voucher, then vi. s. viii. d. And for the exemplification therof, ii. s. and for the engrossing of fines, to haue for euery fine thre s. iiii. d. & if it be with proclamations, then iiii. s. Item for euery bill of debt, detinue, trespass, and all other actions personals sued before the said Iustices in their circuits vnder the summe of xl. s. the Protenotaries shal haue for the first bill iiii. d. for the second bil iiii. d.

and

and for the third bill.iiii.d.and for the entrie of euery declaration,plee in barre,replication,& reioinder in and vpon euery such actions so that he do inroul y same in parchmēt iiiii.d.And for euery venire facias Tales,Habeas corpora,distring.in the same actions foure d. and for the iudgement iiiii.d.and for euery writ of execution,in euery such action vi.d.and for euery warrant of atturney in euery such action,aswel for the plaintifes,as for the defendants iiiii.d.Item in all actions of detinue,trespas,and al other actions personal,wherein the duetie,debt,or dāmage amounteth to the summe of xl.s.or aboue,which shall be sued by bills befoze the sayd Iustices, the Pzenotarie shall haue for the first bill.iiii.d.for the secōd bil.iiii.d.& for y third bill.iiii.d.and for euery declaration,answere,replication,and reioinder if it be inrouled in parch-ment viiii.d.& for the venire facias,Tales,Habeas corpora,& distring. for euery of them vi.d.for the iudgement viiii.d.& for the warrāt of at- turney foure d.& for euery writ of execution vpo the iudgemēt in such bills vi.d.Item in originall writs sued vpon euery action personal re- turnable befoze the sayd Iustices,the Pzenotaries shall haue for eue- ry Iterum summon. vi.d.for euery distresse in trespas vi.d.& for the declaration viiii.d.for the aunswere,replication, and reioynder for e- uery of them,if they be inrouled and ingrossed,as is abouesayd.xii.d. for the Venire facias,Tales,Habeas corpora, and distring. for eue- ry of them sixe pence, and the Pzenotaries shall haue for the Entrie of the iudgements in euery such action twelue pence, and for euery writ of execution sued vpon the same vi.d.and for the exemplificati- on of euery recozd in any of the sayde actions ii.s. for euery warrant of atturney iiiii.d.In all actions reals and mixt, Assises,Quare impe- dit,appeales of felony,murder,or maihem, the Pzenotarie to haue for the declaration or playnt ii.s.and for the plee in barre,replication, reioinder,surreioinder for euery of thē,if they be inrouled as is afoze- said xx.d.and for the writting of euery Venire facias,Tales,Habeas cor- pora, and distring.vpo the same for euery of thē.vi.d.& for the entry of the iudgement in euery of y said actions & appeales ii.s.& for the writ- ting of the writs of executiō made vpon euery of the said actions, ap- peales,& assises.xii.d.& for writs of Graūd cape & petit cape,& writs of view,writs vpon voucher,& all other writs,in euery such action or actions xii.d.& for euery warrant of atturney for y defendants, or for the demaundants,or plaintifes in euery such action reall, assise, ap- peale & Quare impedit iiiii.d.and for the essoines in euery such accion iiiii.d.& for the adioznmēt.ii.d.& for the baile of eue- ry per sō of felony xii.d.& for the baile for trespas vi.d.and for the aparance and bayling of cōmon mainpryse ii.d.Item for writting of writs for y peace & good abearing

abearing graunted by any of the sayd Iustices in their sessions vi.d. and for the entring of euery recognisance, to be had & taken before the said Iustices, for euery cause or causes, other then before is expressed, xii.d. and if it be with condicion then ii.s. and vpon euery aquitall & deliuerance of felons, or murderers by verdict, or by allowāce of pardon, the Penotaries shall haue ii.s. & if it be vpon indictments certified from the Iustices of the peace before the Iustices of y^e great Sessions, the Clerke of the peace shal haue also xii.d. and vpon deliuey of any suspect of felony or murder, by Proclamation, the said Penotary shal haue xii.d. 34. H. 8.

Marshal, Crier.

29 ¶ There shalbe a Marshal & a crier in euery of y^e circuits & limits allotted to the sayd Iustices, which shall be named by the sayde Iustices within the limits of their authoritie and commission, in like maner & forme, as Iustices of assise do in England, & the said officers shall attend vpon the said Iustices in their circuits in their owne proper persons, and not by their deputies, & the Marshal shal haue vpon euery iudgement, & euery fine iiii.d. and the crier i.d. and vpon y^e equitals of felons, & of them y^e shalbe deliuered by Proclamation, or deliuered out of common mainprise, before any of the sayd Iustices, the Marshal shall haue iiii.d. and the Crier a peny. 34. H. 8.

Iustices of peace.

30 ¶ Ouer and besides the said President, and the Counsell and Iustices, there shalbe Iustices of peace and Quorum, and one Custos Rotulorum in euery the said xii. shires. And y^e sayd Iustices of peace, Iustices of Quorum, and Custos Rotulorum, in the said shires shalbe named and appointed by the Chaunceloz of England, by commission vnder the Queenes great seale of England, by the aduise of the President, Counsell, and Iustices aforesaid, or iii. of them, of the which the sayd President to be one, from time to time, as the case shall require. And there shall not excede the number of viii. Iustices of the peace in any of the said shires, ouer and besides the President, Counsell, and Iustices aforesaid, and the Queenes Atturney, and Soliciter: which President, Counsell, Iustices, and the Queenes Atturney, and Soliciter, shalbe put in euery Commission of peace, in euery of the said xii. shires. 34. H. 8.

What persons may be Iustices of peace.

31 ¶ Such persons as shalbe named to be Iustices of peace within euery of the said shires, shalbe of good name and fame, and after they be assigned by commission, may vse and exercise the office of the Iustice of peace, albeit they may not dispend xx.li. nor be learned in the lawes of the land, without any losse, damage, or penalties for insufficiencie of their lands, & euery of y^e said Iustices of peace, before they shall execute the commission, shall take their othes before the Chaunceloz

celor of England, or els before the saide President, or one of the sayde Justices in Wales, by vertue of the Queenes writ of Dedimus potestatem, or before any other person to be limited by the lord Chauncelor of England for that purpose, the contents of which othe shalbe after the forme, as Justices of peace in England vse to make. 34. H. 8. S. Justices of peace 4.

32 The said Justices of peace or two of them at the least, where of one to be of the Quorum, shal and may keepe their sessions within the limits of their commissions iiii. times in the yere, and at other tymes vpon vrgent causes, as Justices of peace in England vse to doe, and shal haue like power & authoritie in al things, and fees of y^e Q. for the time of their sitting, as well for themselves, as for their clerks, and shal be bound to vse & doe their offices in like maner as is vled in England 34. H. 8. S. Justices of peace, 5. 6.

33 No Justices of peace, Clerke of y^e peace, nor other clerke of any Justices of peace in Wales, shal take for the writing of any warrant of y^e peace or good abearing aboue vi. d. & for the entring of pledges or borowes to pay y^e Q. fine vpon any indictment ix. d. and if it be with protestation, then to take xii. d. for a Superfediis not aboue eyght pence, and for a Recognisance xii. d. An. 34. H. 8.

34 All y^e sayd Justices of peace shal certifie al recognisances take before any of them for the peace, or good abearing into their Sessions next to be holden after y^e taking thereof, And recognisance taken before any of them for suspicions of any maner of felony, shalbe certified before the Justices in the great Sessions, next to be holden after the taking thereof, without concealment, deteyning or imbeselling of the same, vpon such penalties and daungers, as be therfore ordayned and established. 34. H. 8. S. Justices of peace, 102. 103.

35 All fines & amerciaments before the said Justices of peace to be lost, shalbe taxed & offered by two Justices of peace at y^e least, where of one to be of the Quorum, & al such fines and amerciaments shal be set truely and duely, according to the quantitie of the offences, wythout parcialitie, or affection, & the sayd fines & amerciaments, and also al issues lost before the said Justices of peace, and al forfeitures of recognisances, & other forfeitures before the same Justices, shalbe pearly extreated by the clerkes of the peace into the Eschequer, appointed for that limite, to the intent that proces may from thence bee awarded for the leuying of the same forfeitures and summes of money to the Queenes vse, to the sherife of euerie Countie, as shal appertaine, who shal make thereof their accompts before such Auditors as thereunto shalbe assigned, so that the Queene may thereof be duely & truely answered

Their othes.

Quarter Sessions.

Fees of the Justices, and Clerkes of the Peace.

Certificate of Recognisance.

Offerment of fines, & amerciaments.

Fines, forfeitures & amerciaments extreated.

**Justices and
Clerkes fees.**

answered and satisfied, which auditors shall make due allowance to the same sherifes for the fees of the Justices and Clerkes of the peace upon their said accompts as is used in England. 34. H. 8. S. Justices of peace 7.

Sherifes.

36 ¶ There shall be Sherifes in euery of the sayd shires yerely appoynted by the Queene, & none of þ said sherifes shal haue their office of sherifewike any longer time then is used by the lawes and statutes of England, & for the yerely nomination of the said sherifes the said Lord President, Counsel, & Justices of Wales, or thre of them at þ least, whereof þ said President to be one, shall yerely nominate iii. substanciall persons in euery of the said xii. shires to be sherifes of the same, and shal certifie their names to the Lordes of the Q. Counsell, attending upon her graces person, *Craftino animarum*, to the intent þ Queene being thereof aduertised, may appoint one of them in euery of the said shires, to be sherife for the yere after at her pleasure, like as her highnes doth for her Realme of England, and thereupon the sayd sherifes shall haue their patentess and commissions vnder the great seale of England as sherifes of England haue, and shall make, & take othes & knowledges of recognisance before the President & Justices, or one of them, by vertue of the Q. writ of *Dedimus potestatem*, to be directed for the same, for the due execution of their Offices & for their iust and true accompts, before the Queenes Auditor or Auditors assigned for Wales. 34. H. 8. S. Sherifes, 4.

Their patentess

Offices.

**The Sherifes
authoritie.**

37 ¶ Euery of the sayde sherifes shall haue ful authoritie within the limits of their sherifewikes, to do and vse their offices as sherifes in England, and shal accomplish, & execute wout any fauour, dread, or corruption, all maner of writs, proces, iudgements, & executions, & all common Justice appertaining to their Offices of sherifes, and al lawfull commaundements, and precepts of the said President, Counsaile, and Justices of Wales, & also of the Justices of the peace, Eschetors, and Coroners, and euery of them, in all things appertaining to their offices and authoritie. And the sayd Sherifes shall doe, and be bound to do all and euery other thing and things for the ministracion of Justice, and for the conseruation of the Queenes peace, and þ apprehension and repressse of Traitors, murderers, theeves, felons, and other offenders, as sherifes of England do vse and be bound to do within the realme of England. 34. H. 8.

**Sherifes Acc
compt before
Auditors.**

**The Sherifes
fee.**

38 ¶ The sayd sherifes shall yerely accompt before such the Q. Auditor or Auditors, as shalbe assigned by the Queene for her sayde dominion of Wales, and euery of the said sherifes shal haue yerely for his fee, v. li. 34. H. 8.

39 ¶ Every of the sayde sherifes shal haue a gaole for prisoners Gaoles.
within some conuenient place of the Castell of the Shire Towne
where hee is Sherife, or in such other conuenient place, as by the said
President, Counsel, and Iustices or iii. of them (wherof the said Presi-
dent to bee one) shalbe appointed. 34 H. 8. S. 5. El. 24. Prisons. 1. &c.
The Iustices of peace of the Counties of Pembroke, Glamorgan,
Cardigan, Radnor, & Mountgomery, haue authoritie to execute all
things concerning the buylding & new making of Gaoles, in the said
counties, as the Iustices of peace & other persons of any of the Coun-
ties contained in the statute provided in that behalfe. 23. H. 8. 2. may &
haue authoritie to doe.

40 ¶ The sherifes counties, or shire courtes of the Countie of Courty courts.
Brecknocke, shalbe holden at Brecknocke, of Radnor at newe Rad-
nor & Preston, of Mountgomery, at Mountgomery, & Daghenleth,
of Denbigh, at Denbigh & Wrexham, of Donmouth, at Donmouth
and Newport, Alternis vicibus. 27. H. 8. 26.

41 ¶ The Sherifes shal keepe their counties monethly, & their County courts
kept monethly.
hundred courts for ples under xl. s. as is vsed in Englande, and shal
take for the entring of plaints, proces, ples, & iudgments in the said
shire courtes, and hundreds, such small fees, as are vsed to bee taken in
shires & hundreds in England and not aboue. 34. H. 8.

42 ¶ All trials before them in their said Courtes, or before any Trials before
Sherifes or
Stewards.
Stewards in Court barons, shalbe by wager of lawe, or verdict of vi.
men, at the pleasure of the party plaintife or defendant that pleadeth
the plea. 34. H. 8.

43 ¶ Every of the said sherifs shal keepe their turnes perely after Sherifes
turnes.
Easter & Michaelmas, as they haue bene vsed in England, & the Q.
shal haue al forfeitures, fines, issues, & amerciaments forfeited in any
of the said counties, & hundreds, courts & turnes to her owne vse, & the
sherife shal accompt for the same accordingly. And the estretes of y^e said
turnes, counties, & hundredes shalbe viewed, & the fines, issues, and a- Estretes asser-
red by the Jus-
tices of assise.
merciaments, asserred by the Iustices of assises of that circuit, before
the leuying of y^e same amerciaments, or other forfeitures, & no sherife
or any of his officers shal presume to gather or leuy any such amer-
ciament, or other forf. before the said estrete be so asserred, vpon paine
to forf. to the Queenes vse. xl. s. 34. H. 8.

44 ¶ The sherife vpon euery iudgement had before him in his Execution vpon
on a iudgment
in the sherifes
court.
County, or hundred court, in any plaint vnder xl. s. shal and may a-
ward a Capias ad satisfaciendum, to arrest the partie condempned, or
els a Fieri facias at the libertie of the pursuant. 34. H. 8.

45 ¶ Al bills sued before y^e said Iustices in personal actions wher- Sherifes fees,
of.

of the debt, due tie or damage is vnder xl. s. the shirife shal haue for þe
 retorne of euery bill ii. d. And for euery Venire facias, Tales, Habeas
 corpora, & Distringas ii. d. & for writs of execution vpon the iudgmeēt
 in any such bill xii. d. And in bills sued before the saide Iustices in acci-
 ons personals, aboue the summe of xl. s. the shirife shal haue for þe re-
 turne of euery such bill iiii. d. And for the retorne of euery venire faci-
 as, Habeas corpora, distringas, & Tales iiii. d. and for euery writ of exe-
 cution ii. s. And in al personal accions sued by original writs returna-
 ble before the saide Iustices, the shirife shal haue for euery Iterum sum-
 mon, distringas, and alias distringas iiii. d. and for euery Venire faci-
 as, Habeas corpora, distringas, & Tales vi. d. & for euery writ of execu-
 tion to be executed vpon the iudgement in such accions ii. s. for þe ser-
 uing of euery writ of Elegit vi. s. viii. d. And in all real accions, or mixt
 pursued before the saide Iustices by original writ, for retorne of euery
 original writ ii. s. and for retorne of euery other writte and Iudiciall
 proces depending vpon the same before iudgement, ii. s. & for euery
 writ of execution after iudgement vpon euery original, in accions re-
 al or mixt, two shillings, and for seruing of euery writ of Habere faci-
 as seisinam vi. shillings viii. d. And for attachmentes vpon Capias, or
 other proces sued before the saide Iustices by original or iudiciall
 writ, if he retorne Capi corpus two shillings, and for a Reddidit se
 vpon an Exigent of Felony, in Appeale of murder, or maiime, or vpon
 any indictment of felony or murder, two shillings, and vpon a
 Reddidit se, vpon an Exigent of debt, trespass, detinue, and all other
 accions personals, twelue pence, And for the making of Repledge
 twelue pence, and Withernam vpon the same twelue pence, for the
 retorne of euery writ of appeale of Murder, Felony, or maiime xii.
 pence. And vpon all other proces growen vpon the same, as Venire
 facias, Tales, Habeas corpora, & Distringas xii. d. And in euery acci-
 on taken before the shirifes by Iustices for the summons thereof iiii.
 d. And for euery other proces thereupon iiii. d. And for euery prisoner
 deliuered by acquittall, or by Proclamation for any maner of felony
 xii. d. 34. ¶ 8.

Suspect pers-
 ons put vnder
 mainprise.

46 ¶ Every shirife within the limits of his authoritie, may and
 shall put such persons vnder common mainprise, as they haue reaso-
 nable cause of suspect, binding such as they shal so put to comon main-
 prise with ii. sufficient suerties with the by recognisaunce, to appeare
 before the Iustices within the limittes of their authorities at the next
 great sessions to bee holden next after the taking of such bands, & shal
 certifie the names of them that be bound before the saide Iustices at
 the saide Sessions accordingly, without concealement therof at their
 pleasure.

pleasure. 34. H. 8. And the recognisances of such common mainprife, and suretie of appearance taken before any of the said shirifes, shall be as good and effectuell, as if it were taken by any Iustices of recorde. And euery person and persons within the Counties of Brecknocke, Radnor, Mountgomery, Denbigh, Glamorgan, Carmarden, Pembroke, and Cardigan, or any of them, put vnder common mainprife, and bounde to his or their personall apparance, aswell by the foresaid shirifes, as by the Iustices of any of the said Counties, shall keepe their apparance before the saide Iustices at euery Sessions within the said counties to be holden in such like maner and fourme, as is vlsed in the thre shires of Northwales. 27. H. 8. 26.

47 ¶ Euery person that the shirife taketh to common mainprife, to appeare before the saide Iustices, as is aforesaide, shall pay for his mainprife ii. d. and not aboue. And the said shirife shall put no man to common mainprife, but such as be suspect, and as shall be returned by them, before the said Iustices at their Sessions, as is aforesayde. An. 34. H. 8.

The shirifes
fee for mapne
prife.

48 ¶ And the saide shirife shall haue for the retorne of a writte of false iudgement out of a base Court, before the said Iustices ii. s. And the said shirife shall take no maner of fee for the retorne of any of the sayde writtes of execution before expressed, vntles he retorne the same executed. 34. H. 8.

The fee for re-
turne of a writt
of false iudges-
ment.

49 ¶ S. i. Ed. 6. 10. Exigents. 7. that euery shiriffe of the said counties in Wales, and of the counties palantine of Lancaster, Ches-
ter, and of the citie of Chester, shall haue in euery of the courtes of the kinges Bench, and common ples, one sufficient deputie at the least, to receiue writs directed to such Shirife &c.

The shirifes
deputies.

50 ¶ The Shirife shall make the Baylifes of hundres, and they shall attend vpon the Iustices in euery of their Courts and Sessions. 34. Hen. 8.

Baylifes of
hundres.

51 ¶ Eschetors shall be named in euery of the said Shires by the Lorde Treasorer of Englande, by the aduise of the saide President, Counsel, and Iustices, or iii. of them at the least, whereof the said President to be one, which Eschetors shall make and take their othes, and knowlege their Recognisaunces before the saide President or one of the said Iustices, by vertue of the Queenes writte of Dedimus potestatem, to be directed for the same, for the due execution of their offices, and for their true account to bee made before the Queenes Auditour or auditours, to be assigned for the same, which oth & recognisance shall be agreeable to the oth & recognisance vlsed for the Eschetors in England, and the Eschetors shal perely haue their patents and Commissi-

Eschetors.

under the great seale of Englande, & shall haue power to exercise their offices, in like maner & forme as Eschetors in Englande: and shall be bounde to all lawes & statutes of England. And al such persons as shall be appointed to the saide offices, shall & may exercise their offices, if they may dispend yerely v. li. of freeholde, any statutes of England to the contrary thereof notwithstanding. And euery of the sayde Eschetors shall make their accompts yerely befoze such auditor or auditors, as shall be assigned by the Queene, to heare and determine her accompt, for her reuenues & profites of the sayd dominion of Wales. 34. H. 8.

Coroners.

52 ¶ There shall be ii. Coroners to be elected in euery of the sayd xii. shires as is vled in Englande, by vertue of the Queenes writte de Coronatore eligendo to bee awarded out of the Queenes Chauncery of England. And the said Coroners shall haue like authozite to doe and exercise their offices, and haue like fees, as is limitted by the lawes and statutes of Englande. Provided alwayes that the writte de Coronatore eligendo to choose the Coroners within the sayde Countie of Flint, shall be directed out of the Eschequer of Chester. Anno 34. H. 8.

County of Flint.

Constables of the hundred.

53 ¶ The sayde Iustices of peace, or two of them at the least, whereof one of them to be of the Quorum, shall appoint and name in euery hundred within the limits of their commission, ii. substantiall gentlemen, or yeomen to bee the chiefe Constables of the hundred wherein they inhabite, which two Constables of euery hundred shall haue speciall regarde to the conseruation of the Queenes peace, and shall and may do & vse their offices in all & singuler thinges as is vled by the high constables of the hundreds in Englande, & shall be bounde to all thinges as high Constables of the hundredes in Englande be bound to. 34. H. 8.

Stewards of Courts.

54 ¶ All Stewards of any Lordshippes, or manors in Wales, shall & may keepe and hold such Leets, Lawdayes, & Court Barons, as appertaineth and belongeth to the Lordships & manors whereof they be Stewards, & hold ples by plaint vnder the summe of xl. s. in euery such court baron, & haue & enioy all other authorities, commodities, & profits, as Stewards of Leetes, Lawdayes, & Court barons in England commonly haue, & bene vled to haue by reason of the said offices & none other, any lawe, custome &c. in the sayde Dominion of Wales notwithstanding: But the saide Stewards nor any of the, nor the Sherife of the said counties in Wales, shall haue any authoritie to enquire of any maner of felony in any such Leete, Lawday, or turne, within the said dominion to be holden. And no Leete, nor Lawday

So the Sherife or Steward shall enquire of felony.

day

day shalbe kept by the Stewarde or other officer of any Lordship or manor in the sayd dominion of Wales, but in such Lordships & places where it was accustomed to bee kept, before the making of the statute of 26. H. 8. so alwaies the place where such court shalbe kept be meete and conuenient for that purpose. 34. H. 8.

55 **A**ll Maiors, Bailifes, and head officers of corporate townes in Wales may hold ples, and determine accions, and do euery other thing concerning common Justice, according to their lawfull grants & lawdable customes of such townes, so alwaies they follow y^e course, trade, & fashion of the lawes & customes of the Realme of Englande, & not of any welsh lawes or customes. And in euery of y^e said townes they may trie all issues ioynd in any accion personal by vi. men according as heretofore in diuers places of the sayd countrey it hath beene vled, any thing in this act &c. notwithstanding. 34. H. 8.

Head officers
of corporate
Townes.

56 **T**he Aulneger in Wales, by him selfe, or his sufficient deputie or deputies, shall in all thinges to his office appertaining doe, & be bound to do, & answere in euery case like, & according as all and euery Aulneger in England do or ought to do, according to the lawes & statutes of the Realme of Englande. And for the contrary doing or exercising of the said office, shall in euery case & degree suffer, as by the said lawes & statutes is ordained for Aulnegers, vnder the Treasorer of England for the time being. 34. H. 8.

Aulneger.

57 **A**ll Justices, Commissioners, Sherifes, Coroners, Eschetors, Stewards, & their Lieutenants, & all other Officers, and ministers of the law, shall proclaime & keepe the sessions, courts, hundreds, leets, sherifes courts, and al other Courtes in the English tongue, & all othes of officers, iuries, & enquests, & all other Affidauits, verdicts, & wagers of law shalbe giuen & done in the English tongue, And also no person or persons that vse the welsh speach, or language, shall haue or enioy any maner office or fees w^{thin} the Realme of Englande, Wales, or other the Queenes dominions, vpon paine of forf. y^e same offices or fees, vntles he or they vse y^e speach or language of English. 27. H. 8. 26.

All Courtes &c.
kept in the
English tongue.

Proble of
welsh speach
by officers.

58 **I**n al and euery writs originall or iudiciall, or other proces, ples, or writings which be not expressed in this ordinaunce, the fees thereof aswel for the seales, as writing, shalbe rated by y^e sayde President, Counsel, & Justices, or thre of them, whereof the sayde President to be one, by their discretions from time to time as the case shall require, & they shall haue full power from time to time to aslesse and appoint what fee y^e said sherifes, Eschetors, & Coroners & their ministers, p^{ro}notaries, & their clarkes, and other ministers of Justice in the

Fees rated by
the President
and Council.

said Shires that haue of the Queenes subiects for any maner writtes, plaints, ples, proces, returnes, or any other matter or thing concerning, or belonging to the execution of their offices & rowmes, and to augment or diminish any fee or fees, aboue declared, as shalbe thought by their discretions to be conuenient & mete for the common wealth of the Queenes subiects of those parties of Wales. 34. W. 8.

All officers as
bedient to the
President,
Counsaile, and
Iustices.

59. ¶ All Maiors, Sherifes, Stewardes, Bailifes, & other ministers and officers of Iustice of euery county, Lordship, towne & place within the said dominions of Wales, & al and singuler the Queenes subiects of the same, shalbe alwaies obedient, attendant, and assisting to the saide President, Counsaile, & Iustices of Wales, and euery of them, and shall obey the Queenes commandements and proces from them or any of them directed, & all the lawfull & reasonable precepts of the said President, counsaile, & Iustices & euery of them. And also shalbe obedient to al the said Iustices of peace, Shirifes, & Escheators within the limits of their said authorities, aswel for common administration, & due execution of Iustice, as in al other things appertaining to their dueties and offices. 34. W. 8.

No felon shall
be put to his
fine.

60. ¶ No person for murder or felony shalbe put to his fine, but suffer according to the lawes of the realm of England, except it please the Queene to pardon him. And if the said Iustices see cause of pitie or other consideration, they may reprie the prisoner, till they haue aduertised the Queene of the matter. 34. W. 8.

No man shall
agree with a
felon.

61. ¶ If any murder or felony be committed within Wales, then the party to whom any such offence shalbe committed, shall in no wise take any end or agreement with the offender in that behalfe, nor with any other, in his name or behalfe, vnlesse the sayd party first make the sayd President and Counsaile, or one of the sayd Iustices priue vnto the same, vpon paine of imprisonment and grievous fine, to be set and adiudged at the discretion of the sayde President, Counsaile, and Iustices, or two of them, whereof the sayd President to be one. The same paine and penalties to extende aswell to and against such as shall labour, moue, or procure any such ende or agreement made (although the same labour, motion, or procurement neuer take effect to make any ende or agreement) as against him or them, with whome such ende or agreement shalbe made, if the same happen to take effect. 34. W. 8.

Tumultes.

62. ¶ No person or persons without lawfull authoritie, shall make any rumors, tumultes, vnlawfull assemblies, or outcries at any of the sayd Courtes or Sessions, nor any outcries, nor vnlawful assemblies in great numbers, at any other time, except it be for the
appe-

apprehension or pursuing of murderers or felons, upon paine of imprisonment, and grievous fine to be taxed & set upon them by the sayd President and Counsaile, or by the Justices or other officer before whom such misbehaviour shall happen to bee committed. 34. H. 8. 4. H. 4. 27.

63 ¶ In case any fozeine plea, or voucher bee made before any of the saide Justices of Wales, betweene partie and partie, triable in any other shire within Wales, then where the said plea is pleaded or voucher made: Then the said Justices before whom the same plea or voucher shalbe pleaded or made, shall and may send the Queens writ, with a transcript of the recorde, mencioning the same fozeine matter of plea, or voucher, vnder the seale to him committed, vnto the Justice of the countie where the same matter shalbe triable, commanding the sayd Justice by vertue of the said writ to proceede to the trial thereof, according to the Queenes lawes and statutes, which triall so before him had, he shall remaund with the whole recorde, vnto the Justices before whom the said plee or voucher was pleaded or made, who thereupon shal proceede to iudgement, as the case shall require, And in case the same fozeine plea, voucher, or other matter so pleaded, bee triable within the Realme of England, Then the Justice before whome the same plee or voucher shalbe pleaded, had, or made, shall and may proceede to the trial thereof, as shall appertaine within the same Shire of Wales, where the same olde plee, voucher, or matter was pleaded, & said fozein plee, voucher, or any other thing or matter to the contrary thereof notwithstanding. 34. H. 8.

*Voucher or
fozein plee.*

64 ¶ All manors, landes, tenements, mesuages, & other hereditaments, and al rights and titles to the same, in any of the Shires of Wales, discended to any maner person or persons since the feast of the Nativite of Saint John Baptist. 33. H. 8. or that hereafter shall discend, shalbe taken, enioyed, vsed, and holden as English tenure to all intentes, according to y common lawes of this realme of England, and not to be partable among heires males after the custome of Gavelkind, as heretofore in diuers parts of Wales hath beene vsed, And the same law from & after the said feast of S. John Baptist, in the said 33. yere, shalbe vsed, taken, & exercised in y said countie of Monmouth, & in al such Lordships, & other places, as by vertue of the act made 27. H. 8. 26. Or by any other act or actes, made or to bee made were and shalbe annexed to any of the shires of Salop, Hereforde, Gloucester, or other shires, any lawes or customes &c. notwithstanding. 34. H. 8.

*All landes in
wales shalbe
English tes-
ture and not
Gavelkind.*

65 ¶ No Morgages of landes, tenementes, or hereditamentes, *Morgage of
landes.*
made.

made or had after the saide feast of S. John Baptist, which was 33. H. 8. or that hereafter shalbe had or made, within any of þ sayde shires or places, shal bee allowed otherwise, then after the course of the common lawes & statuts of the realme of England, any vslage, or custome &c. notwithstanding. 34. H. 8.

Alienation of
landes after
the English
maner.

66 ¶ It shalbe lawfull to all persons, to alien, sel, or otherwise put away their landes, tenements, and hereditaments, within the said dominion of Wales, the Countie of Monmouth, & other places annexed to any of the shires in England, from them and their heires to any person or persons in fee simple, or fee taile, for terme of life, or for terme of yeres, after the maner & according as is vled by the lawes of England, any Welch law or custome heretofore vled in the saide dominion of Wales to the contrary thereof notwithstanding: This article to take effect, from and after the saide feast of the Natiuitie of S. John Baptist. 33. H. 8. 34. H. 8.

Inheritors of
Wales bound
by statut, or
recognisance
in England.

67 ¶ If any person or persons, hauing landes, or tenements within the sayde dominion of Wales, shalbe bound within the Realme of England by obligation, vpon the Statute of the Staple, or by recognisance, & pay not the debt as shal appertaine: Then vpon certificate thereof made into the Queenes Chancery of Englande, by the clerke of the Staple, or by any Iustice of record, befoze whom such recognisance shalbe knowledged, proces shalbe made to the sherifes of Wales, out of the Chancery of Englad, after the forme as is vled to be made vpon statuetes & recognisances by the course of the lawes of Englad, for due leuying & paying of the saide debt. But for such recognisances as shalbe taken and knowledged befoze the Queenes Iustices of her bench, or common pleas in England, proces shalbee had and pursued immediatly out from the saide Iustices, as is vled vpon recognisances taken befoze the Iustices by the common course of the lawes of England. 34. H. 8.

What writs,
bills, & proces
shalbe vled.

68 ¶ All such writs, bills, plaints, plects, proces, challenges, and trials shalbe vled throughout all the shires aforesaide, befoze the sayde Iustices in their Sessions, as is vled in Northwales, or as shal bee deuised by the sayd President, Councell, & Iustices, or thre of them, whereof the sayde President to bee one, for the good ministracion of Iustice to be had in euery of the saide shires. 34. H. 8.

Y. yeres
possession.

69 ¶ If any person or persons, their auncestors, or they whose estate he or they haue, haue bene in peaceable possession of any landes or tenements in Wales, by the space of five yeres, without let, interruption, or lawefull claime: Then the same person or persons shal still continue their possession, vntill such time as it be lawfully recovered.

uered against them by order of the Queenes lawes, or by decree of the President and Councell there. 34. W. 8.

70 ¶ Every person that hath any landes or tenementes in fee simple, or fee taile, or for terme of his life, or for terme of any other mans life, being frehold, shall and may passe in all maner Iuries and trials, as well in case of felonie or murder, as in all accions reall, personall, and mixt whatsoeuer they be, (Attaint onely except) and also may be impannelled, & inquire of all concealements, forceible entries, and other causes of inquirie for the Queene, albeit he may not dispend xl.s. by peere: Sauing to euery man his lawfull challenge for any other cause, according to the lawes of the Realme of England. And no Iuroz shall passe in attaint, vnlesse he may dispend xl.s. by the peere of estate of freehold. 34. W. 8.

What liuing the Iuroz in ech case must dispend.

Attaine.

71 ¶ Sec 5. Cl. 25. 14. Cl. 9. Iurors 23. That the demaundants and plaintifes, tenants and defendants in Wales, vpon request made to the Iustices of the great Sessions, may haue a Tales de circumstantibus, where a full Iurie shall not appeare, or els after apparance of a full Iurie, where the Iurie is like to remaine vntaken for default of Iuroz by challenge of any of the parties. S. 34. W. 8. That in personal actions taken and pursued befoze the Iustices in Wales by writ or bill, if ix. of the Iurie be swozne to trie the issue, and the residue make default, or be tried out, then the Sherifes shall and may immediately retorne other names in the sayde Iurie De circumstantibus, vntill there be xii. men swozne to trie the issue, as befoze the Iustice of Northwales hath bene vled.

Tales de circumstantibus.

72 ¶ If any goods or cattels be stollen by any person or persons, and solde in any faire or market, within the sayd dominion of Wales, no such sale shall change the propertie thereof from the owner of the same, but he may lawfully seise, take, and haue the same againe, vpon prooofe thereof made, the said sale notwithstanding. 34. W. 8.

Sale of stollen goods.

73 ¶ No person or persons shall bargain or buye any maner of beast, or other quicke cattell in any place within Wales, out of the market or faire, vnlesse he can bring forth sufficient and credible witnesses of the name of the person, what place, and time he bought the same, vpon paine and danger of such punishment and fine, as shall be set vpon him, by the said President and Councell, or any of the sayd Iustices in his circuit, for the said offence, & as he will therfore answere at his further perill. 34. W. 8.

No cattel shall be bought out of p market &c.

74 ¶ If any goods or cattels be stollen in the limits of any of the sayde shires of Wales, then vpon suite thereof had and made the exact shall be followed, from towneship to towneship, or Lordship to Lordship,

Pursuit after stollen goods.

Lordship, according to the lawes and customes in that behalfe heretofore vsed in Wales, vpon such penaltie and danger, as heretofore hath bene accustomed. 34. H. 8.

The A. shall haue all eschetes.

75 ¶ The Queene shall haue all felons goods, and goods of persons outlawed, wayfe, strapes, and all other forfeitures and eschetes whatsoeuer they be, answered thereof by the handes of the sherifes, Sauing alwayes the rights and interestes of euery of her subiects, hauing lawfull title to haue the same. 34. H. 8.

Each persons inheritance saved.

76 ¶ This act of 34. H. 8. or any thing therein contained, shall not be preiudiciall to any person or persons or bodie politique, for or concerning any lands, tenements, rents, seruices, bondmen, tolles, or other hereditaments, but they and euery of them, their heires, successors, and assignes shall haue and enioy their lands &c. in such like maner as they had the same before the making of this act. 34. H. 8.

Liberties of the Duchie.

77 ¶ All liberties, franchises, & priuiledges of the Duchy of Lancaster, or in any wise appertaining to the same, shalbe of the same force, and condition, & may be vsed in as large & ample maner, as they were before the making of this act, any thing &c. notwithstanding. 34. H. 8.

Actions sued in p county of Monmouth.

78 ¶ All actions reals that shall be commenced or sued for any landes, tenements, or hereditaments, or any other thing within the countie of Monmouth, & all accions personals within the same shire, of the summe of xl. s. or aboue. And al accions mixt shalbe sued by originall writ out of the Chauncerie in England, and heard, determined, and tried before the Queenes Iustices in England, by Assise, or Nisi prius, within the sayd Countie of Monmouth, in such like maner, forme, and wise, as all other actions reals, personals, & actions mixt be sued, heard, determined, & tried in or for any shire of the realme of England. 27. H. 8. 26.

Triall of Nisi prius in the county of Monmouth.

79 ¶ The Queenes Iustices of her Bench, or of the common Bench at Westminster haue full power to direct all maner proces to the sherife, and all other officers of the said Countie of Monmouth, & also to direct writtes of venire facias to the same sherife for the triall of euery issue ioyned before them, and also to award Commissions of Nisi prius into the said Countie of Monmouth, for the triall of such issues ioyned before them, in like maner & forme as they do into euery shire of this Realme of England. 27. H. 8. 26.

Inhabitants in Monmouth obedient to the law & Magistrates of England.

80 ¶ All and euery the Queenes subiects and inhabitants within the said County of Monmouth, be bound to be obedient and attendant to the Lord Chaunceloz of England, the Queenes Iustices, and other the Queenes most honorable counsell, and vnto all lawes, customes, ordinances, and statutes of this realme of England, in like maner,

maner, forme, and wise, as al other the Queenes subiects within euery shire of this realme of England be bounden. 27. H. 8. 26.

81 ¶ The Sherife of the sayd Countie shall hold plea of Replegiare, and all other suites and plaints vnder xl. s. in his countie or shire court, in like maner and forme, as all other Sherifes doe within this Realme of England. 27. H. 8. 26.

Of what things the Sherife of Monmouth shal hold plea.

82 ¶ The Sherife, Eschetors, and Coroners that be within the said Countie of Monmouth, be bounde to execute all the Queenes processe, and to make due returnes thereof, and to vse and exercise their offices according to the lawes and statutes of this Realme of England, in all and euery thing, as the Sherifes, Eschetors, and Coroners, be bound to do in all and euery other shire of this Realme of England. 27. H. 8. 26.

The Sherifes Coroners, Eschetors duty.

83 ¶ The Sherife and Eschetors of the said shire of Monmouth that shall be appoynted by the Queene, shall make their accompts for their sayd offices in the Queenes Eschequer in England, in like maner and forme as other sherifes and Eschetors do within this Realme of England, and vpon such like paines and penalties, as is vpon other sherifes & Eschetors in euery other shire within this Realme of England. 27. H. 8. 26.

The Sherifes and Eschetors accompt.

84 ¶ For all Parliaments to be holden for this Realme, two Knights shall be chosen to the same Parliament for the shire of Monmouth, and one Burgesse for the Borough of Monmouth, in like maner, forme, and order, as other knights and Burgessees of the Parliament be elected in all other shires of England, and the same knights and burgessees shall haue like dignitie, preheminence, and priuiledge, and shalbe allowed such fees, as other knights & Burgessees of the parliament haue bene allowed, And the knights fees shalbe leuied, perceiued, receiued, gathered, and payed in such maner, forme, & order, as such fees be gathered &c. in other shires of this realme of England, and the Burgessees fees shall be leuied aswell within the borough of Monmouth, as within all other auncient boroughs within the sayde shire of Monmouth. 27. H. 8. 26.

Two knights and one burgesse for the parliament.

85 ¶ The Queenes high Iustice of the Countie of Pembroke shalbe high Iustice of the Countie and towne of Hauerford west, and shall haue like auctoritie to & for the ministracion of Iustice within the said countie and towne of Hauerford west, as is appointed to the sayd Iustice to and for the administration of Iustice in the sayd countie of Pembroke. And the Maioz, Sherife, bailife, and burgessees of the sayd countie and towne of Hauerford west, from time to time shalbe aswell attendant, and obey all precepts & commandements of the President

Hauerford west.

and,

Wales.

and Counsell of the Queene in her Marches of Wales, as also shall be attendant to all precepts and proces awarded or directed by the said high Justice vnto the sherife of the said Countie and towne of Hauerford west, and to make returne thereof, and the said sherife of the sayd countie & towne, shall serue al precepts & proces directed from the said high Justice, in like maner & forme, as the sherife of the said countie of Pembroke is bound to do, and according to the effect & purport of the Queenes ordinances in that behalfe had, made and provided. And it shall be lawfull vnto y^e said Maior, sherife, bailife, & burgesles of the said countie and towne of Hauerford west aforesaid, to vse and exercise all lawfull liberties and graunts by king H. 8. or his progenitors to them graunted & confirmed, at the Queenes pleasure, according to y^e lawes of this Realme of England, and not otherwise. And the iudiciall seale of the said shires of Pembroke, Carmarthen, and Cardigan, being in the custodie of the Queenes high Justice there for the time being, shall be vsed in the said countie & towne of Hauerford west, as the originall and iudiciall seale of the same towne and countie. And the said Justice of the said shires of Pembroke, Carmarthen, and Cardigan, shall haue like aucthoritie by vertue of the Queenes letters Patents to him made, as well to doe euery thing concerning common Justice to be ministred within the said towne and countie of Hauerford west, as he hath in his saide letters patents within any of the said shires of Pembroke, Carmarthen, and Cardigan. 34. H. 8.

Part of the
Marches annexed
vnto
certaine shires
in England
and Wales.

Monmouth.

86 ¶ These Lordships, Towneships, parishes, commots, and cantredes hereafter named, being Lordships marchers, and sometime lying betweene the shires of England and Wales, And all honours, manors, lordships, castels, lands, tenements, and hereditaments, lying or being within the compasse or precinct of the said Lordships, towneships, hamlets, parishes, commots, and cantredes, and euery of them, in whose possession soeuer they be, are guildable, and taken as part and member of the shire of Monmouth by. Monmouth the head and shire towne of the said Countie, Chepstow, Batherne, Lamnyhangell, Hagour, Goldcliffe, Newport, Wenlong, Lawerne, Caerlyon, Uske, Treleck, Tinterne, Skinfreth, Grousmont, White castell, Reglan, Calicot, Biston, Abergiuenny, Penrose, Grenefeld, Maghen, Houchupflade. 27. H. 8. 26.

Radnor.

87 ¶ These Lordships, towneships &c. are guildable, and win the shire of Radnor, by. New Radnor, the head and shire towne of the sayd countie, Clitherman, Elnells, Bougherd, Glasebery, Glawdistre, Mihels church, Heleleth, Blewaghe, Knighton, Norton, Preston, Cozmorhuder, Rayder, Gwethronton, Stanage. 27. H. 8. 26.

88 ¶ These

88 ¶ These Lordships, townships &c. are guildable and within Brecknocke, the shire of Brecknocke, v^z. Brecknocke the head and shire towne of the sayd countie, Crekehowel, Tretowre, Penkelley, English Talgarth, Welsh Talgarth, Dynas, the hay Glynebogh, Brovulles, Cantercelly, Lando, Blaynlynby, Estredow, Bueleth, and Lingos. 27. H. 8. 26.

89 ¶ These Townes are guildable & within the shire of Mount. Mountgomery, v^z. Mountgomery the head & shire towne of the said countie Kedewenkery Caweslam, Arnestely, Kenillock, Doythur, Powel-land, Clunessland, Balesley, Tempcester, and Alcester. 27. H. 8. 26.

90 ¶ These townes &c. are guildable, & within the shire of Den. Denbigh, high, v^z. Denbigh land, the head and shire towne of the same countie, Ruthin, Samtasse, Kynllethowen, Bromfeld, Pale Chirke, Chirke-land. 27. H. 8. 26.

91 ¶ These Townships &c. are guildable, and annexed to the Salop. countie of Salop, v^z. Abertannad, Oswester, Whetington, Hasdroke, Knocking, which with their members shalbe taken the hundred of Oswester, And Elefmer annexed to the hundred of Dimhill, and Downe, and Cherbury annexed to the hundred of Cherbury. 27. H. 8. 26. 34. H. 8.

92 ¶ These townships are guildable & annexed to the countie of Hereford. Hereford, v^z. Ewvas Lacy called the hundred of Ewvas Lacy, Ewvas Harold, annexed to the hundred of Webtre, Clyfford, Wyfoxton, Verdelle, Whirney, and Huntington, called the hundred of Huntington, Weigmore logharneis the hundred of Weigmore, Stepulton. 27. H. 8. 26.

93 ¶ These Lordships are guildable & annexed to the countie of Gloucester. Gloucester, v^z. Mollaston, Tidnam, Bechley, & all landes lyng betweene Chepstow bridge in the Marches of Wales, and Gloucester shire, and in the hundred of Melebury. 27. H. 8. 26.

94 ¶ These Lordships are guildable, and annexed to the countie of Glamorgan. Glamorgan, v^z. Gowerkilney, Bishops towne, Landasse, Singhintghe Supra, Singhintghe Subtus, Miskin, Ogmore, Glynerotheny, Callagarne, Buchien, Tallauan, Lamblethian, Lantwide, Tperial, Auan, Meth, Landwey, and the Claves. 27. H. 8. 26.

95 ¶ These Townes &c. are guildable, and within the shire of Carmarthen. Carmarthen, v^z. Lanemethe, Uerpe, Abermerlesse, Kedwely, Eskeninge, Coznewoolthon, Newcastle, Emlyn, Abergolly, and Laniffan, Usterlois, Langham, parcell of the hundred of Derleys 27. H. 8. 26.

96 ¶ These Townes are guildable, and within the shire of Pembroke. Pembroke, brooke,

brooke, v3. Kilgarran, Lansteffan, Lange harne, otherwise called
Tellaugharne, Malwincastel, Dewes land, Lennehadein, Lansey,
Penberth, Slebeiche, Rosmarket, Castellan, Landoflowre. 27.
H. 8. 26.

Cardigan.

97 ¶ These townes are guildable, and within the shire of Cardi-
gan, v3. Tregaron, Gengerin, Landway, Uteny. 27. H. 8. 26.

Flint.

98 ¶ These Townes &c. are guildable, and within the shire of
Flint, v3. Hoppe, Hawarden, Hereforde, Dley, and Holdesdale
within the hundred of Holdesdale, Allaphe, within the hundred of
Rutland. 33. H. 8. 12.

Southway.

99 ¶ The Lordships townes, and parishes of Southway, and
all lands, tenements &c. within the compasse of the same, are guildable,
and annexed to the countie of Merioneth in Northwales as a com-
mote member, or part of the same. 27. H. 8. 26.

Merioneth.

Worcester.

100 ¶ The towne of Bewdley within the parish of Ribesford
in the countie of Wygorne, and all the ground and soyle of the same
towne, is vnited, annexed, and made parcel of the countie of Wygorne
and within the hundred of Dodingtre: and the inhabitants of the said
towne and parish shalbe attendaunt, and doe euery thing with the in-
habitants of the saide hundred. Sauing to the Burgesse and inhabi-
tants of the said towne of Bewdley, all such liberties and franchises,
as they lawfully had and exercised in the same Towne before the ma-
king of this act. 34. H. 8.

Apparance &
attendance at
Courts.

101 ¶ All and singuler person and persons dwelling or resiant
within Wales, or in the Lordships marchers of y same, at al times vp-
on such monition or warning giuen for y court to be kept in Wales,
or in any of the Lordships Marchers, as before time hath bene vled,
shall personally appeare before the Justice, Steward, lieutenant, or o-
ther officer at all and euery Sessions, court and courtes, to be holden
before the same Justice, Steward, or other officer in any whatsoeuer
place within Wales, or within the precinct, limits, and iurisdictions
of euery of the Lordships Marchers, or seignories aforesayd, or the
marchers of the same, as by the sayd Justice, Steward, or other offi-
cers shalbe appointed, and then & there shall giue his & their personall
attendance to doe euery thing which to him or them shall appertaine
vpon paine of such fines, forfeitures, and amerciaments as shall be
assessed by the Steward, Justice, or other officer to the Queenes vse,
if it be within any of the Queenes Lordships Marchers, and if it be w-
in any other Lordships Marchers, then to the vse of the Lord of the
sayd Lordship Marcher for the time being. The sayd forfeitures and
amerciaments to be leuped by way of distress of the goods and cattels
of

of every person not appearing at the said court or courts, or not doing his duetie as is abovesaid, 26. H. 8. 6.

102 ¶ If the steward, lieutenant, or any other officer of any Lordship Marcher in Wales, do saue, procure, or imagine any untrue surmise against any person or persons that shall so giue thet personall attendance befoze them at such court or courts where they haue rule or aucthoritie, and vpon the same untrue surmise, commit them to any dures or imprisonment contrary to the lawe, or contrary to the true and lawdable custome of that Lordship: Then vpon suit made vnto the Queenes commissioners or counsell of the Marches for the time being, by any such person or persons so imprisoned, or by any of their friendes, the same Commissioners or counsell shall haue full power to send for such Stewarde, Lieutenant, or officer, and also for the person or persons so imprisoned, and if the same person or persons so imprisoned, can euidently proue befoze the said counsell by good and substantiall witnesses, or otherwise, that his imprisonment was vpon any fayned surmise, without cause reasonable, or lawfull, then the same commissioners shall haue full power to assele the said officer to pay to the said person or persons wrongfully imprisoned vi. s. viii. d. for every day of their imprisonment, or more by the discretion of the sayd Commissioners, according to the hurts and behauiour of the person or persons imprisoned, & the same commissioners shall set further fine vpon the sayd officer, to be payed to the Queenes vse, as by their discretions shalbe thought conuenient. And in case the same officers doe refuse to appeare befoze the same Commissioners incontinent after any commandement to them directed, and deliuered after any such complaint made to the same commissioners, then the same commissioners shall haue full power vpon every default made by any officer or officers, to assele and set vpon every such officer or officers making default such fine or fines to be leuied to the Queenes vse, as by their discretions shall be thought conuenient. And the same commissioners shall haue full power to compell the sayd officer or officers by way of imprisonment, as well to pay such fine as shalbe taxed vpon them to the Queenes vse, as to pay vnto every person or persons so imprisoned, such summes of money as they shalbe asseled to pay for their wrong imprisonment. 26. H. 8. 6.

An officer im-
prisoning one
vpon an untrue
surmise.

103 ¶ No person dwelling or resident within Wales, or the Lordships Marches of y^e same, of what estate, degree, or condition soeuer he be, coming or repairing vnto any sessions or court to be holden within Wales, or any Lordships marches of the same, shall bring, or beare, or cause to be brought or bozne to y^e same sessions or court, or to any place within

No weapon
shalbe brought
to Courtes,
Fairres, or
Churches.

within the distance of ii. miles from the same sessions or court, nor to any towne, church, faire, market, or other congregation (except it be upon a hue or outcrie made of any felony, or robbery done) nor in the high waies in affray of the Queenes peace, or the Queenes liege people, any bil, long bow, crosbow, handgun, sword, staffe, dagger, halberd, morispike, speare, or any other maner of weapon, priue coate, or armour, defensue, upon paine of foxt. of the same weapon, priue coate, or armour & to suffer imprisonment & make fine & ransome to the Q. by the discretion of y^e Queenes commissioners of her marches for the time being, except it be by the commandement, licence or assent of the sayd Justices, steward, or other officer, or of the commissioners, or counsell of the marches for the time being. 26. W. 8. 6. 4. W. 4. 28.

Gathering
commonthes,
exactions &c.

104 ¶ No person or persons without licence of the sayde commissioners in wryting, shal within Wales or the marches of the same, or in any shires adioyning to the same, require, procure, gather, or leuy any Commonth, Bidale, tenaunts ale, or other collection or exaction of goods, cattels, money, or any other thing vnder colour of marping, or suffering of their children saying or singing their first masses, or Gospels of any priestes or clerkes, or for redemption of any murder, or any other felony, or for any other maner of cause by what name so euer they shall be called, nor shall make or procure to be made any games of Running, Wrestling, Leaping, or any other games (the game of Shooing onely except) upon paine of one whole yerres imprisonment of euery person or persons as shall gather or procure to be gathered any such collection or exaction, or shall make or procure to be made any games as is aforesaid. And further they & euery of them shall make such fine, as by the discretion of the Queenes Commissioners of her Marches shalbe thought conuenient: And further the said commissioners shall haue power to heare and determine the said offences by their examination. 26. W. 8. 6.

Procuring of
games.

Arthe.

105 ¶ No person or persons shall at any time cast any thing into any Court within Wales, or in the Lordships marches of the same, by the meane or name of any Arthel, by reason whereof the Court may be letted, disturbed, or discontinued for that time, upon paine of one whole yerres imprisonment of any such person or persons, as shall cast or cause to be cast any such Arthel into any court or courtes to be holden within Wales or the Lordships Marches of the same, any custome &c. notwithstanding 26. W. 8. 6.

Where sessions
shalbe kept.

106 ¶ All sessions and courts to be holden within Wales or the Lordships marches of the same, shalbe kept within the most surest and peaceable place within the same Lordship marcher, where the sayde Justice,

Justice, steward, or other officer shall appoint. 26. H. 8. 6.

107 ¶ The Justices of the gaole deliuerie, and of the peace, and euery of them for the time being in the shire or shires of Englande where the R. writ runneth, next adioyning to the Lordshippe marcher or other place in Wales, where any counterfayting, washing, clipping, or minishing of any Coyne currant within this realme, or murder, shalbe committed or done, or where any other felonyes or accessaries shalbe committed, haue aucthoritie at their sessions and gaole deliuerie to enquire by verdict of xii. men of the same shire or shires next adioyning within Englande where the R. writ runneth, there to cause all such counterfayers, washers, clippers of money, felons, murderers, and accessaries to the same to be indicted according to the lawes of this land, in like maner as if the same pety treasons, murders, felonies, and accessaries to the same, had bene committed within any of the said shires, within the said realme, and also to heare, determine, and iudge the same, according to the lawes of this realme. And all foraine plees, pleaded by any of the sayd offenders, shalbe tried & determined in the same shire or shires. And the acquittal or fine making for any of the causes aforesayde, in any of the lordshippes marchers shall be no barre for any person or persons being indicted in the sayde shire or shires within two yerres next after any such murder, or felony done. 26. H. 8. 6.

Inquire in the counties adioyning, of offences committed within the Lordship marchers.

Foraine plees.

Acquittal in Lordshippes marchers.

108 ¶ The said Justices of peace & gaole deliuerie, & euery of the, haue aucthority to awarde all maner of proces, as well of outlawry, as otherwise, against all and euery such offender and offenders so indicted, in maner, and forme, and according to the customes and lawes vbled within this realme of England. And the sayd Justices or two of them before whom any such offender shall happen to bee outlawed or attaynted by vtlagarie, shall immediatly vpon the same vtlagary or attainder, direct, and send vnto the R. officers of her lordships marchers, or to their deputie, or vnto the lord or lordes marchers of the same lordship marcher, or to his or their officer, or officers, or to their deputies, wherein such offence, murder, or felonye shall happen to be done, or where any such offender, murderer, or felon shall happen to be resiant, a certificat vnder the seales of them, or two of them, of any such vtlagary or attainder, commaunding them and euery of them by the same, vnder payne of for. of C. li. to the R. to bee leuied and perceiued as well of the goods, cattels, lands, and tenements of y^e same lord or lordes marchers, as of y^e goods, and cattels, lands, & tenements of the R. officer there: to apprehend and attach, or cause to be apprehended & attached to the body or bodies of the same offender or offenders

Proces of outlawry against persons indicted.

Certificat of Outlawry.

Conueiance of
offendours fro
one lordship
marcher to an
other.

dozs so outlawed or atteinted, & safely to keepe, or cause to be kept the same offendour or offendours, till such conuenient time, before the next Sessions of the Q. Iustices of her gaole deliury of the shire where such offendour or offendours shal happen to be outlawed or atteinted, as to the Q. officer of her Lordships marchers, or to their deputies, or vnto the Lord marcher, or Lordes marches of the same lordship marcher, or to his or their officer or officers, or their deputies where such offendour or offendours shalbe apprehended, attached, detained, & kept, shalbe thought expedient for the conueiance, & conducting of y^e same offendour or offendours, in maner and forme following, to be deliuered from the Q. officers or their deputies, or the Lorde Marcher, or the Lordes marchers, or his or their Officer or officers to other persons assigned by this acte, to receyue and conuey such offendour or offendours by Indenture to bee made betweene the deliuerer or deliuerers, and the receiuer or receiuers: That is to say, the Q. Officer of her Lordship marcher, or their deputies, or the Lord or Lordes marchers of the lordship Marcher, or his or their officer or officers, or their deputies, where such offendour or offendours shall be apprehended, attached, detained, and kept, shall safely conduct and conuey, or cause to be conducted and conueyed the same offendour or offendours to the next Lordshippe marcher toward the shire where the same offender or offendours shall happen to bee outlawed or attaynted. And the Q. Officers of the same Lordship Marcher or their deputies, or the lord or lords marchers of the same Lordship marcher, or his or their officer or officers, or their deputies, shall receyue and safely conuey the same offendour or offendours to the next Lordshippe marcher. And so the Q. officers of euery Lordship marcher or their deputies, or the Lord or Lordes marchers of the same Lordshippe, or his or their officer or officers, or their deputies, to receiue and cōuey safely euery such offendour or offendours from one Lordship marcher to an other lordship marcher by indenture, as is aforesaid, vnto the time that such offendour or offendours shalbe safely deliuered before the said Iustices of y^e gaole deliury, vpon payne of forf. by euery of the Q. officer or lorde marcher, (by whose default the same offendour or offendours shall ne may not appeare before the same Iustices at their sayd Sessions, there to stand and abide the order of y^e Q. lawes) C. li. to be leuied & perceiued of the goods and cattels, landes and tenements of the same officer or Lord, to the Q. vse. And all and euery officer & officers, lord and lords, or other persons to whom any certificat shalbe directed, as is aboue sayd, shall at the next Sessions and gaole deliuerie to be holden after the apprehension, or attachment of such offendour or offendours, re-
turne

turne the same certificat in due forme, and what he or they haue done in that behalfe vpon the paine aforesaid. Sauing alway to all & euery offendour and offendours, all and singular Trauerles, Challenges, exceptions, aduantages, and all other pleas, to, of, and vpon the outlawry pronounced against the same offendour or offendours, in manner and forme, as is, and hath bene vsed by the lawes of this realme, for any the Queenes subiectes dwelling within the same realme. 26. H. 8. 6.

Returne of
the Certificat.

All aduantages
ges saued to
the offendour.

109 ¶ This act shall not extende to abridge or depriue any liberties, priuiledge, or authoritie of any lord marcher, heretofore graunted to the same lord, or lawfully vsed or accustomed by the sayd lord, or any of his auncestours, vnles the foresaid offendours happen to be indicted, outlawed, arraigned, conuicted, or attaynted by force of thys act, as is abouesayde, within two peeres next after such murder or other felonious offence committed, within the sayd lordshippe marchers, or any of them, any thing in thys act &c. notwithstanding. 26. H. 8. 6. Quere whether the vse of these three latter bzaunches, of this Statute of 26. Hen. 8. bee taken away by the annexing of the Lordshippes Marchers to certayne Counties in England and Wales.

No liberties
of any lord
marcher as
bridged.

110 ¶ All murders, robberies, felonies, and accessories to the same which shall happen to be committed within the shire of Merioneth in wales, shall & may be inquired, heard, and determined in the courtes of Carnaruan or Anglesey, before the Queenes Iustices of North wales, or their deputie for the time being, by verdict or enquest to be taken by the inhabitants of the same shires of Carnaruan, & Anglesey or othewise, if by discretion of y^e Iustice there or his deputie, it shalbe thought couenient. And the same Iustice or his deputie for the time being, shall haue full power by his discretion by force of this act, to heare and determine all & euery the foresaid murders, felonies, robberies, and accessaries, in forme aforesaid. 26. H. 8. 6. But see the statute 34. H. 8. that the foresaid act, and euery article therein conteyned shall take effect and be executed in all points, for and concerning any of the sayd offences done within the Countie of Merioneth to be inquired of, heard, and determined within the Countie of Salop, in lyke maner and fourme as commonly is and hath bene vsed for any of the same or like offences committed within any other countie or place of South Wales.

Felonies com-
mitted in
Merioneth.

111 ¶ Euery officer & officers, & their deputies, vpon commaundement giuen by the commissioners or counsell of the marches for the time being, shall bring, send, or deliuer euery offendour (which doth

Where and to
whom any of-
fendour shalbe
committed.

commit any murder, robberie, or felony, within the Lordships marches of Wales, or in other places of Wales, wythout the same lordships marches, and doth flye and escape from the same lordshippe or other place, where such offence was committed, & repaireth into an other Lordship marcher) to the officer of the Lordship marcher or other place, where any such offence shall be committed or done vpon the metes & bounds of the said lordships, or to the said commissioners or counsel according as the said officers by them shalbe commanded, vnder paine of xl.li. the same commandement or commission to be directed to any such officer to be sent, conueied, and deliuered by a sergeant at Armes, or pursuant, attendant on the said Counsell in the Marches, for the time being. 26.H.8.6.

Exactions taken in Forests in Wales.

112 ¶ All such vnlawfull customes, as haue bene vsed in seuerall Forests in wales, & the Marches of the same (for the taking of vnlawfull exactions of any of the Queenes subiects which passe, go, or ryde through, or in any way or path of any of the sayd Forests, not hauing vpon him a token deliuered vnto him by the chiefe Forresters, Rulers, or Fermors: Or to take any such money & gold, as shal be found vpon him which is taken by the space of xxiii. foote out of the hygh way in any of the sayd Forestes, or to cause the same person so taken out of the hygh way, to lose a ioynt of one of his handes, or to make fine therfore with the Forresters, Rulers &c. at their wil and pleasure. Or for any Forresters, Rulers, walkers, or Fermors, vnlawfully to seise and take any Beastes or quicke cattel, and to marke them with the marke of their Forests, which do happen to come, go, or escape in to any of the sayd Forestes, by stray, or theefe stollen, or otherwyle) shall be determined voyde, and had for nought, through out all and euery of the sayde Forestes within Wales, and the Marches of the same. And it shall bee lawfull to all and euery of the Queenes true subiectes, and all other person and persons being in league and amity with our soueraigne Ladye the Queene, her heires and successours, kinges or Queenes of England, freely, quietly, and in peace to passe and repasse, trauayle and goe into and thorough out the sayde Forests and euery of them, both on horsebacke and on foote, aswell following and delyuing of cattell, as with carryng of wares, or otherwise about their lawfull businesse and affaires, withont any fine, forfayture, toll, custome, exaction, or other imposition to bee taken, exacted, or demanded of them, or any of them, by the sayde Forresters, Rulers, walkers, Fermors, or their assignes. And if it shall chaunce any of the sayd Forresters, rulers &c. at any time to take any person or persons, being the Q. true subiectes, or otherwise in league and amytie with

with our soueraigne Lady, her heires or successours, Kings or Q. of England, as is aforesayd, & exact and take of them, or of any of them, any of the sayd forl. fines, tolles, customes, or exactions, as is aboue mencioned, and be thereof lawfully conuicted: Then hee or they so doing and offending contrary to this act, to incurre and stand in danger of the statute heretofore prouided for robberies by the Queenes high way, and the same to be tried before the Iustices of the peace in the next shire adioynant, according to the law of this Realme of England. 27. H. 8. 7.

23. H. 8. 1. Sec
Clergie 12.

113 ¶ If any maner of beast or quicke cattell of any of the true subiects, or other the Queenes friends, at any time do come in to any of the sayd Forrestes by strapes, theefe stolen, or otherwise, and there be marked & seised of any of the said forresters, rulers, walkers, farmors, or their assignes, or any of them, & the owner or owners of the same cattel, within any one yere & a day then next ensuing, chaunce to find the said cattel so taken, and lawfully proue the same to be his or their owne proper cattel, then the same cattel shalbe redeliuered to the owner or owners therof, according to the auncient law of this realme of England, the said owner or owners reasonably paying for the keeping of such cattel, after the rate of the time, that such cattel shal haue byn in the custody of any such Forresters, Rulers &c. or his or their assignes, in such maner and forme, as heretofore hath bene in like case vsed to be done by the owners within a yere & a day next after the seising of the same cattel. And if any of the said Forresters, rulers &c. or their assignes do deny y^e deliuerance of any such cattel, by them, or any of them so seised or marked within any of the said Forrests, after y^e owner and owners of them, shall haue duly and lawfully proued them to be his or their owne proper goods or cattels, as is aforesayd: Then euery such forrester, Ruler, walker, farmor, or their assignes so doing & offending contrary to this act, shall forfeit and pay vnto the partie greued, the double value of al such cattel, as shalbe so taken & marked, and not deliuered to the owner or owners as is aforesaid. And the party greued may haue his action of Detinue at the common lawe, of and for the same cattel against euery such offendor or offendors, and the same to bee tried in the next shire adioynant, wherein no wager, Essoigne, H. &c. And like proces of outlawrie shalbe had and made in the said action of Detinue in the next shire adioynant against euery Forrester, Ruler &c. or their assignes, so offending contrary to the tenor of this act, as in an action of trespassse at the common lawe of this realme is vsed. 27. H. 8. 7.

Redeliuery of
straies or thiefe
stollen goods.

114 ¶ Forthwith vppon the charge giuen to any Enquest to
B b b.iii. be

In bailly for
keeping of a
Jury.

be taken and swozne before any Iustices, steward, Lieutenant, or other officer within Wales, or the Marches of the same, of, for, and vpon any traaverse against the Queene, or the triall of any Recognisance broken, or any other forfayture forfayted to the Queene, or of, for, and vpon the triall of any murderer, felon, or accessarie of felony or murder: One officer or other person shall bee deputed, and swozne in the presence of the sayd Iusticiar, or other officer, for the true and diligent keeping of the same Iurozs. And the same Officer or other person so swozne, without the speciall commaundement of the said Iusticiar, or other officer, shall not doe, or suffer to be ministred to the same Iurozs, any bread, drinke, or meat, fire, or lyght, nor shall suffer the same Iurozs to speake to any person or persons, nor the same officer or other person swozne, without the commaundement aforesaid, shall not speake to the sayde Iurozs, but onely to demaunde of them of their agreement, vnto such time as the same Iurozs shall haue giuen their verdict, any vsage or custome heretofore vbled to the contrary notwithstanding. And if the same officer or other person so swozne in forme aforesayd, doe not execute and accomplish the premisses in the othe before rehearsed, in euery poynt and article: Then he shalbe punished and imprisoned, and make fine and ransom to the Q. by the discretion of the said Iusticiar, steward, Lieutenant, or other officer. 26. H. 8. 4.

Untrue verdict.

115 ¶ If the same Iurozs do acquite any such felon, murderer, or accessarie, vpon whose triall they shall be charged, or giue any untrue verdict against the Q. vpon the tryall of any traaverse, recognisance, or other forfayture, contrary to y good and preignante euidence ministred to them by persons swozne before the sayde Iusticiar, steward, Lieutenant, or other officer, or that the sayd Iurozs, or any of them do eate, drinke, or speake to or with any person or persons, then to such as be swozne with them, or otherwise misdemeane theselues, after they be swozne and before they haue giuen their verdict, then the Lorde President, or other the Counsell of the Marches for the time being, vpon notice or complaint thereof to bee made, shall not onely haue authoritie to call such Iurozs before them, but also the same Iusticiar, Stewarde, or other officers afoze whome any such acquittall, untrue verdict, or misdemeanors shall happen to be made shall haue full power to compell such Iurozs and euery of them vpon paine of imprisonment, to be bounden by recognisance in a certaine summe of money by their discretion to bee limited, that the same Iurozs and euery of them shall personally appeare at a certaine day by the same Iusticiar, steward or other officer to bee limited before the

the Lord President, and other of the Counsell aforesayd, for the tyme being, then and there to abide and stand to such direction and order, as the same Counsell shall make, ordeyne, and decree, of, in, and vpon the same. And the same counsell shall thereupon haue aucthoritie by examination or otherwise, to heare and determine all and euery such cause, and shall haue like aucthoritie to commit euery of the same Iuroz to prison, or other punishment, as shall bee thought meete by the discretion of the said Counsell, or otherwise assesse or take euery such Iuroz to his fine or raunsome by the same discretion, to be payd and leuied of their lands, goods, and cattels to the vse of the Queene. 26. H. 8. 4.

116 ¶ The towne of Hauerforde west shall for euer, send one Burgesse for the sayd towne at euery Parliament to bee holden in England, and the charges of the same Burgesse shalbe alwayes bozne by the Maior, Burgesse, and inhabitants of the said towne, and none other. 34. H. 8.

A Burgesse
for Hauerford
west.

117 ¶ For all Parliametes to be holden for this Realme, one knight shabe chosen to the same Parliaments for euery of the shires of Brecknock, Radnor, Mountgomerie, and Denbigh, & for euery other shire within the said countrey of Wales, & for euery borough being a shire towne within the said countrey of Wales, one Burgesse (except the shire towne of the countie of Merioneth) and the election to be in like maner, forme, and order, as Knights and burgesse, of the Parliament be elected in other shires of this realme (and to be named & chosen by the aucthoritie of the Queenes writ, vnder the great seale of England. 34. H. 8. and the Knights & Burgesse, and euery of them shal haue like dignitie, preheminence & priuiledge, & shall bee allowed such fees, as other knights of the Parliament haue and be allowed, and the knights fees shalbe leuied of the commons of y^e shire that they be elected in, & the Burgesse fees shalbe leuied, and gathered aswel of the boroughs, & shire townes, that they be Burgesse of, as of al other auncient boroughs within the same shire. 27. H. 8. 26.

Knights and
burgesses for
the Parliament

118 ¶ The sherifes for the tyme being of euery of the xii. shires in Wales, and in y^e county of Monmouth, haue authority to gather, & leuy, or cause to be gathered, or leuied, the knights fees or wages, of the inhabitants of the xii. shires, and of the said county of Monmouth, which ought to pay the same, and the same so gathered, shall pay, or cause to be payd to euery such knight, or knightes, or to his or their assignes, within two monethes next after such knight or knightes, shal deliuer or cause to be deliuered the Queenes writ, De solutione feodi militis parliamenti to any such sherife, and euery such sherife

The wages of
knights of the
Parliament.

making default of payment of the fee or wages in maner and fourme aforesaid, shall forfeit to the Q. & J. xx. li. and if any Sherife in any of the said xii. shires and countie shal make default of paiment of the said wages &c. by a longer time then two moneths, then he shall forfeit for euery moneth that he shal make default xx. li. to be forfeited and leuied in maner and fourme aforesaid. 35. H. 8. 11.

The wages of
Burgesses of
p parliament.

119 ¶ Every Maior and Bailife, & other head officers of cities, boroughs and townes in euery of the said xii. shires and countie of Monmouth within like space of two moneths after the receypt of the Queenes writ De solutione &c. shal leuy, gather and pay the wages and fees to their Burgesses, in maner & fourme aforesaid, & in and vnder like paines and forfeitures as is before mencioned, to be leuyed of the goods and cattels of euery such Maior, Baylife, and other head officer (to whom the Queenes said writ shalbe directed for the leuying of such fees) making default of payment of the same to the Burgesses &c. 35. H. 8. 11.

By whom
burgesses of p
parliament
shalbe chosen.

120 ¶ Because the inhabitants of al cities and boroughs in euery of the xii. shires in Wales and in the countie of Monmouth, not fynding Burgesses for p parliament them selues, must beare and pay the Burgesses wages in the shire townes of and in euery the saide xii. shires and countie: the Burgesses of euery of the said cities, boroughs & townes which be contributorie to the payment of p burgesses wages of the said shire townes, shall be lawfully admonished by Proclamation, or other wise by the Maiors, Baylifes, or other head officers of the saide townes, or by one of them, to come and to giue their elections for the electing of the sayde Burgesses, at such time & place lawfull and reasonabe, as shall be assigned for the same intent, by the said Maiors, Baylifes &c. of the sayd shire townes, or by one of them, in which election the Burgesses shall haue like voice and authority to elect, name, and chose the Burgesses of euery of the sayd shire townes in such maner as the Burgesses of the sayd shire townes haue, or vse. 35. H. 8. 11.

Rating of bor-
roughs for the
burgesses wa-
ges.

121 ¶ Two Iustices of peace in euery shire in Wales and in the County of Monmouth haue authority indifferently to lotte and taxe euery city, borough, & towne within the saide shires & countie where in they do inhabite, for the portions and rates that euery of the sayd cities & boroughs shall beare & pay towards the Burges within the said shire townes of euery of the sayd shire and counties, which rates so rated & taxed in grosse by p said ii. Iustices, shalbe agayne rated and taxed on the inhabitants of euery of p said cities and boroughs by iiii. or vi. discreete and substantial Burgesses of euery of p said cities and boroughs

boroughs in Wales thereunto named & assigned by the Maior, Baylives, or other head officers of the sayd cities, townes & boroughs, for the time being, and thereupon the Maior, Baylives &c. of every such citie, borough &c. shall gather the same, and thereof make payment to the burgeses of the parliament, within like time, & upon like paines and forf. as is aforesayd. 35. H. 8. 11.

122 ¶ Because Lordes Marchers in times past haue vsed to put their tenants within their lordships marchers, under common maynpise and suretie of apparance, and haue had the forf. therof (which for ever shall utterly cease and determine. 27. H. 8. 26.) Therfore as wel the Q. spirituall and ecclesiasticall subiects, Lordes marchers, hauing lordships marchers, or lordships roial in Wales, and their successors, and the successors of euery of them, as also the heires and successors of the lordes tempoꝛall marchers within their lordships marchers and lordships roiall in the dominion or principallitie of Wales, shal haue and enioy to them and to their heires and successors respectiuelly and seuerally for ever, the moitie and halfe of euery forf. of all and euery common maynpise, recognisance for the peace, or apparance forfeited by any their tenants, inhabiting within any of their Lordships marchers, or lordships roiall, and they to be payed the same moitie by the hands of the sherifes of euery of y^e sayd counties where such forf. shall be, if the sherife can leuie the same, and the same sherife to accompt to the Q. for the other moitie, and further shall haue all such mises and profits of their tenants as the lordes marchers spirituall or tempoꝛall respectiuelly or seuerally, had or vsed to haue, at their first entrie into their lands in times past, before the making of the sayde stat. and also shall haue, hold, and keepe within the precinct of their sayd lordships, all such Courts Barons, Courts Leete, and lawdayes, and all and euery thing and things to y^e same courts belonging, and also shall haue within the precinct of their sayd seuerall lordships or lawdayes, al such wayfe, strayfe, infangtheefe, outfangtheefe, treasure troue, deodands, goods and cattels of felons, and of persons condemned or outlawed of felony or murder, or put in exigent for felony or murder, and also al such wecke de meare, wharfage and customes of strangers, as the Lordes marchers, spirituall and tempoꝛall respectiuelly and seuerally had and vsed in times past before the making of the sayde stat. of 27. H. 8. 1. & 2. H. 8. 15.

Lordes marchers tenants under common maynpise.

Lordes marchers shall haue the moitie of the forfeit. of their tenants.

Marchers retain their priuiledges.

123 ¶ The tenants and resiants in Wales shall pay their tallage at the charge of their Lordes, in such places and after such forme as haue bene accustomed in Wales. 34. H. 8.

Tallage.

124 ¶ All the Queenes subiects and resiants in Wales shall bee charged

Subsidies.

charged

charged and chargeable to all subsidies, and other charges to be granted by the commons of any Parliament holden in England, and shall pay all other rents, fermes, customes, and dueties to the Q. as they haue bene accustomed (fines for redemption of Sessions onely except) 34. H. 8.

The Bible &
booke of com-
mon prayer
conuerted into
the Welsh
tongue.

125 ¶ The Bishops of Hereford, S. Dauies, Aflaph, Bangor, and Landaph, and their successors, shall take such order amongst them selues for the soules health of the flockes committed to their charge within Wales, that the whole Bible conteyning the new Testament and the olde, with the booke of common prayer, and administration of the sacraments, as is now vsed within the Realme in English to be truly and exactly translated into þ Brittish or Welsh tongue, and that the same so translated, being by them viewed, perused, and allowed, be imprinted to such number at the least, that one of either sort may be had for euery Cathedral, collegiat, and parish Church and chappel of ease, in such places and countreyes of euery of the sayd diocesses where that tongue is commonly spokē or vsed, before the first day of March, An. Do. 1566. And that from that day forth, the whole deuine seruice shalbe vsed and sayd by the Curates and Ministers throughout all the sayd diocesses where the Welsh tongue is commonly vsed in the sayde Brittish or Welsh tongue in such maner and forme, as is now vsed in the English tongue, and differing nothing in any order or forme from the English booke. For the which bookes so imprinted the parishioners of euery of þ said parishes, shal pay þ one halfe or moitie, and the Parson and Vicar of euery of the sayde parishes (where both be) or els the one of them, where there is but one, shall pay the other halfe or moitie. The prices of which bookes shalbe appoynted and rated by the sayd Bishops and their successors, or by thre of them at the least, The which things if the sayd Bishops or their successors neglect to doe, that then euery one of them shal forf. to the Q. Maie-
stie, her heires and successors, the summe of xl. li. to be leuied of thep goods and cattels. 5. El. 28.

The Bible and
booke of com-
mon prayer in
English shalbe
in euery
Church in
Wales.

126 ¶ And one booke conteyning the Bible, and one other booke of cōmon prayer in the English tongue shalbe bought & had in euery church throughout Wales, in which the Bible and booke of common prayer in Welsh is to be had by force of this act (if there be none already) before the first day of March 1566. and the same bookes, to remaine in such conuenient places, within the sayd Churches, that such as vnderstande them may resort at all conuenient times to reade and peruse the same. And also such as do not vnderstand the said language may by conferring both tongues together, the sooner attaine to the knowledge

knowledge of the English tongue. Any thing in this act &c. notwithstanding. 5. El. 28.

¶ In the time of king Hen. 4. it was provided by severall Statutes, that no Welshman (except he were a Bishop, or a temporall Lorde) shoulde haue any Castell, Fortresse, or house defensive of his owne, but such as had bene vsed in the time of King Edw. Conquerour of Wales nor that any welshmen shoulde be made Iustice, Chauncelour, Chamberlaine, Treasourer, Sherife, Stewarde, Constable of Castle, chiefe foster, nor other officer, nor Lieutenant, in any of the sayde offices in any part of Wales, nor of Counsell with any English Lord (Bishops and such as were tried faithfull and obedient subiectes except) nor that any English man married to any welsh woman, should be put in any office in wales, nor shoulde haue any franchises with English Burgesles, nor that any person should carry any vittaile or armour into Wales, without the kings or counsels licence: sauing to store the English Castles and Townes, nor that any Englishman should be conuict by any welshman in any Court in Wales, but by Englishmen of the next venue, and of good fame, nor that any welshman shoulde purchase any lande in Englande, or in English townes in Wales, nor shoulde bee Burgesse or haue any other libertie within any of them. But it seemeth that the force of those statutes is taken away by the statut of 27. H. 8. 26. Therefore see the first branch of this Title and Quare.

Quare,

1 For Exigents & other proces for and against any persons dwelling in Wales. S. Exigents. 6. 9.

2 That Sherifes in Wales shall haue deputies in the kings Bench and Common place. S. Exigent. 7. 8.

3 That a Tales de circumstantibus is to bee graunted in the xii. Shires in Wales. S. Iurors 21.

4 The Act provided for Tanners, Curriers, Shomakers &c. shall be construed to extende to Wales, as ampie as it doth to Englande 5. Eliz. 8.

5 In what sort Mortuaries shall be payde in Wales and the Marches. S. Mortuaries 5.

6 For the triall of treasons and misprision of treason committed in wales, or the marches thereof. S. Treason. 12.

7 For money payed in Wales for the redemption of forfaytures, S. Rents. 1.

8 For the aucthority of commissioners of Sewers in the countie of Glamorgan in Wales. S. Sewers. 6.

9 For

Wards, Wardships, Mariage.

9 For the inrolling of fines and recoveries in the twelue shires in Wales, and in the towne and countie of Hauerforde west &c. See fines 29. &c.

¶ Wardes, Wardships, Mariage.

A tenant en-
feoffeth his
heire to defeat
wardships.

If any man do enfeoffe his eldest sonne or heire being within age, of his inheritance, that thereby the lord might lose his wardship, yet notwithstanding such feoffement, the chiefe lord shall haue his wardship. Marleb. 52. D. 3. 6.

Fraudulent
conueyance to
defeat the lord
of wardship.

2 ¶ If any persons meaning to deuise their landes for terme of certaine yerres (that they might thereby defeat the lords of the fee, of their wardships) wil sayne false feoffements, conteyning that they are satisfied of the whole seruice due vnto them vntill a certaine terme, & that such feoffees are bound to pay at the sayd terme a great summe to the value of y^e same landes, or much aboue, so that after the same terme the land shall reuert to them or their heires, for that no man wil desire to holde the same of so great a price, yet by such fraude no chiefe lord shall lose his wardship. But it is not lawfull for such lordes to disseise the feoffees without iudgement thereupon giuen, but they shal haue a writ to haue the wardship deliuered vnto them, and then it shal be tryed by the witnesses named in the deede of feoffement with other good and free men of the countrie, by the quantitie and value of the lande, and the quantitie of the summe payable after the terme, whether such feoffements were made in good fayth, or by fraude to defeat the lord of his wardship, and if the chiefe lordes doe by iudgement of the court recouer their wardship, yet the feoffees shal haue their action reserued to recouer their terme or fee when the heires shall come to their lawfull age. And if any chiefe lordes do maliciously implead such feoffees, sayning this case, where the feoffements were made lawfully and in good trueth, then the feoffees shall haue their damages and costes awarded vnto them, which they sustayned by reason of the foresayde suite, and also the playntifes shalbe grievously amerced. Marl, 52. D. 3. 6. S. 24.

Electione cu-
stodie.

After wards-
ship no reliefe
nor fine.
A ward made
a knight.

3 ¶ After an heire hath bene in ward, when he is come to full age of xxi. yerres, he shall haue his inheritance without releefe and fine, so that if such an heire being within age be made knight, yet his land shall remayne in the lords custodie vntill the terme aforesayd. Magn. Chart. 9. D. 3. 3.

Amishment
of ward.

4 ¶ If any lay man, friend or other, do with force agaynst the D. peate withhold, leade away, or mary any heire vnder the age of xiii. yerres,

peres, and is thereof conuict, he shal pay to the partie from whom the sayd heire is taken, the value of the mariage, and shalbe imprisoned vntill he hath paid the sayd value, if the childe bee married, and also vntill he hath satisfied the D. for the trespass. Merton, 20. H. 3. 6. West. 1. 3. Ed. 1. 22. S. Women, 6. 7. 8. 12.

Rauishment
of ward.

5 ¶ He which doth rauish and take away any man or woman child (whose mariage belongeth to another) hauing him selfe no right in the same mariage, although he doe after restore the childe vnmarried, or doth make satisfaction for the mariage, yet shall he be two yerres imprisoned for his offence, and if he do not restore the heire, or doe marie him after the yerres of consent, and is not able to make satisfaction for the mariage, he shall abiure the realme, or haue perpetuall imprisonment, and thereupon the playntife shall haue a writ of Rauishment of ward, And if the heire chaunce to dye before he be restored, or can bee found, yet the suite shall proceede betwixt them vntill it be tryed who ought to haue had the mariage if he had bene liuing, for the wrongfull rauishor of such a warde shall not bee excused or eased of his punishment by the death of the heire, which he did wrongfully withhold during his life. And if the playntife doe dye before the suite be determined betwixt them, if the right did belong vnto him by reason of his owne proper fee, the plee shall be resummoned at the suite of the plaintifes heire, and shall passe in due order: but if the right did belong vnto him by reason of any other title, or by gift, sale, or such like, then the plee shall be resummoned at the suite of the playntifes executors, and shall passe &c. In like sort if the defendant dye before the plee be determined, or the heire restored, the suite shall proceede by resummons betwixt the playntife or his heire, or executors, and the executors of the defendant, or his heires, if the executors bee not sufficient as concerning the satisfaction of the value of the mariage, but not to the imprisonment (for in that sort one man shall not be punished for anothers offence.) In like sort when any writ De communi custodia dependeth betweene parties for the ward of an heire of lande, or of both, or any writ de Eiectione custodiae, resummons shall be made betweene the heire and executors of the playntife, and the heire and executors of the defendant, if death preuent any of the parties before the suite determined, in which writ of Communi custodia, when the suite is come to the great distresse, there shall be a time giuen, wherein there may be holden three Counties at the least, in euery of which Counties there shall be open proclamation made that the deforceour shall appeare in the common place at the day conteyned in the writ to answer the plaintife, at which day if he do not appeare, and the proclamation be so testified,

The heire dieth.

The playntife dyeth.

The defendant dieth.

Eiectione custodiae.

Communi custodia.

VVards, VVardships, Mariage.

listred, the first, second, and third time, iudgement shalbe giuen for the playntife, sauing the defendants right if hee will at another time defend y^e same. In y^e same maner it shalbe done in an action of trespasse, when any man complaineth himself to be eiection from such wardships. West. 2. 13. Ed. 1. 35.

Forissactura
maritagii

6 **I**f any heire beeing aboue xiiii. yeeres of age, and vnder xxi. marrie without the license of his Lord, to defeat him of his mariage: and the Lord doe offer him a reasonable & conuenient mariage (without disparagement) then his lord shall retayne his land aboue his age of xxi. yeeres, so long that he may therof receiue the double value of his mariage, according to the estimation of lawfull men, or according to that he hath bene offered before, without fraud and malice for the same mariage, and according to that it may be proued in the Q. court. Merton. 20. W. 3. 6. West. 1. 3. Ed. 1. 22.

Valore mari-
tagii.

7 **I**f an heire (of what age soeuer he be) will not marrie at the L. appoyntment, he shall not be thereunto compelled, but when he cometh to his full age, hee shall satisfie his Lord of so much as he might haue receyued of another for his mariage, before he shal haue his lād, & that shal he do whether he wil marie himself or not, for y^e mariage of an heire within age is due to the Lord of the fee. Merton. 20. W. 3. 7.

A remedy
where the
gardein mas-
keth a feoffe-
ment of the
heires lands.

8 **I**f a gardein or chiefe Lord enfeoffe any man of land which is the inheritance of a childe within age, and in his ward, to the disheritance of the heire, the heire shall forthwith haue his recouerie by Assise of nouel disseisin, against his gardein and against the tenant, & the seisin shal bee deliuered by the Iustices, (if it be recovered) to the next friend of the heire to whom it cannot descend, for to improoue to the heires vse, and to answere y^e issues to the heire when he cometh to full age, and the gardein shall lose during his life, the wardship of the thing recovered, and all the residue of the inheritance which hee holdeth in the name or right of the heire, and if any other gardein the chiefe L. do it, he shal lose the custodie of all that thing, and shalbe greuously punished by the Q. and if an Infant be caried away or disturbed by the gardein, or by his feoffee, or any other, by reason wherof he cannot sue his assise, one of his next friends that will, shalbe allowed to sue for him. West. 1. 3. Ed. 1. 47.

Sute per pro-
chain amy.

A remedy for
the heire of
full age to re-
couer his land
from his lord.

9 **I**f any heire after the death of his ancestor be within age, and his L. hath y^e wardship of his lands, if his L. will not deliuer him his lands when he cometh to full age without suit in law, y^e heire shal recouer his land by Assise of Mortdancer, with y^e damages y^e he hath susteyned by the withholding thereof since y^e time hee was of full age. And

And if an heire at þ time of the ancestors death be of full age, and is heire apparant and knowen for heire, and found in the inheritance, the chiefe lord shal not put him out, nor take, nor remoue any thing there, but only shal take simple seisin for confession of his seigniorie, that he may be knowen to be Lord, & if the chiefe L. do maliciously hold such an heire out of possession whereby he is driuen to purchase an Assise of Mortdancester, or writ of Cosinage, then he shall recouer his damages as in assise of Nouel disseisin. Marl. 52. H. 3. 16.

The heire of full age at the death of his ancestor shall onely pay res-
lief.

10 ¶ The gardein of an heire within age shall take of the heires lands but reasonable issues, customes, and seruices, without destruction and wast of his men, and other commodities, and so long as he hath the wardship of the same heire, he shall maintaine his houses, parkes, stagues, pooles, mils, & all other things belonging to the same lands, with the profits of the same, and shall deliuer to the heire when he cometh to full age, his ground stozed with ploughs & al other things, (at the least as he receyued it) Mag. char. 9. H. 3. 5. And if a gardein do commit wast, he shal lose the wardship, & if þ losse of þ wardship vntill the ful age of the heire be not sufficient to recompence þ damages of the wast, he shal also answere to the heire damages, Glocest. 6. Ed. 1. 5.

The gardeine shall make no waste of the heires lands.

11 ¶ The gardeins of an heire within age which holdeth his land in socage shall commit no wast, destruction or sale, in the same inheritance, but shall safely keepe it to the vse of þ heire, so þ when he cometh to his full age, they shal make him accompt, and aunswere him of the issues of the same land: Sauing to them their reasonable charges. Neither may the same gardeins giue or sell the wardship of the same heire, but onely to his profit. Marl. 52. H. 3. 17.

Gardeine in Socage.

12 ¶ If the Lord of an heire female to whom the mariage belongeth wil not mary her after she hath accomplisshed the age of 14. yerres, but for couetous lucre of the land wil keepe her vnmariied, he shal not haue nor keepe by reason of mariage þ land of such heire female more then two yerres after the sayd terme of 14. yerres, & if the lord within the sayd two yerres do not mary her, then she shall haue an action to recouer her inheritance, without giuing any thing, for her wardship or mariage, West. 1. 3. Ed. 1. 22. But the law of the realme is, that if a woman be of the age of 14. yerres at the time of the death of her ancestor she shall haue liuery of her lands discended vnto her. 39. H. 6. 2.

At what age an heir female shall be out of warde.

13 ¶ If an heire female of malice, or by euill counsell will not be mariied by her chief Lord where she shal not be disparaged, then her L. may retaine her land and inheritance vntill she hath accomplished the age of an heire male viz. of 21. yerres and aboue, vntill he hath receyued the value of her mariage. West. 1. 3. Ed. 1. 22.

The heire female refusing mariage, the Lord shalbe satisfied with the land.

Priority of
feoffment gi-
ueth title of
wardship.

14 **I**f one inheritance discend to any Infant within age of the fathers side, which helde of one lord, and another of the mothers side that helde of another lord, that lord shall haue the marriage of whome the childes auncestor was first enfeoffed, without hauing respect to the sexe or quantitie of the land, but onely to the moze auncient feoffement by knights seruice, West. 1. 3. Ed. 1. 16. 28. Ed. 1.

Disparagemēt
of the heire.

15 **I**f any Lords doe marie those which they haue in ward, being within the age of xiiii. yerss (so that they cannot consent to marriage) to villaines or other such kinde of borrough men, where they are disparaged, then if the wards friends doe complaine thereof, the lord shall lose the wardship vntill the full age of the heire, and the profite that shalbe therof taken, shalbe conuerted to the vse of the heire which is within age, according to the disposition of his friends, for the shame which is done vnto him, but if he be of y age of xiiii. yeres and aboue, so that he may and doe consent to such marriage, no paine shall folowe. Merton. 20. H. 3. 6.

Who shalbe
garden in So-
rage.

16 **I**f any land or inheritance holden in Socage discende to an heire of his mothers side, then the wardship of the same heire belongeth to the next friend of the fathers side, & e conuerso. 28. Ed. 1. Sta. de wardis & releniis.

Wardship of
the which hold
by knights
seruice in chief
of the Q.

17 **T**he Q. shall haue the wardship of al their lands which hold of her in chiefe by knights seruice, whereof the tenants were seysed in their demesne as of fee, the day of their death, of whom soeuer they hold by like seruice, so that they helde of ancient time any lands of the Q. as of her Crowne, vntill the heire come vnto his lawfull age (except the fees of the Bishops of Canterbury and Durham, betweene Tine and Teese, and of Erles and Barons of the Marches &c.) Prærog. Regis, 17. Ed. 2. 1. And therfore because the Q. shall haue as wel those lands which be holden of others, as which be holden of her selfe, whereof her tenant dyed seysed during the minoritye of the heire, and vntill he hath sued liuery, such mesne lordes during such minoritye, shall receiue the rents due to them for the same lands holden of them by the hands of such of the Q. officers as be appointed to receiue and take the profits and reuenues of the same landes so holden, of such mesne Lords, during the minoritye of such heire, and vntill he sue his liuerie. And such heire vntill he shall or conueniently might haue sued his liuerie, shalbe thereof discharged, and such officer shal vpon request made, pay y same to such meane lordes, they giuing to him a sufficient acquittance, and such payment and acquittance shewed, shalbe to the same officer a sufficient discharge vpon his accompt. 2. Ed. 6. 8. S. Prærogatiue 1.

How a meane
lord shalbe
answered
their chiefe
rent during
the heires mi-
noritie.

18 ¶ But if any do hold of the Queene by fee farme, or Socage, or Burgage, and he holdeth lands of another by knights seruice, the Queene shall not haue the custodie of his heire, nor of his land which is holden of another mans fee, by reason of the fee farme, socage, or burgage, neither shall shee haue the custodie of such fee farme, socage, or burgage, except knights seruice be due vnto her out of the sayd fee farme, neither shall shee haue the custodie of the heire, or of any land holden of an other by knights seruice, by occasion of any pety sergeantry that any man holdeth of her, to pay a knife, an arrow, or other like thing. Mag. Chart. 27.

Tenure by fee farme or socage draweth no wardship of other lands.

Pety sergancie.

19 ¶ The Queene shall haue the marriage of an heire being within age & in her custodie, whether the land of such heire haue of ancient time bene holden of the Crowne, or that it came by reason of Eschete being in the Ducenes hands, or that she hath the marriage by reason of the ward of a Lord of such heire, without respect of priority of feffement although the heire hold of others. Prærog. Regis. 17. Ed. 2. 2.

Marriage.

20 ¶ If a woman before the death of her ancestor, which held of the Queene in chiefe be married, before she be marriageable, then the Queene shall haue the wardship of the same woman, vntill she be of the age able to consent, and then she may choose whether she will haue him to whome she was first married, or him that the Queene will offer her. Prærog. Regis. 5. 17. Ed. 2. 5.

The Queene's woman tenet married in the life of her ancestor.

21 ¶ If the Queene do commit the wardship of the land of any heire in her custodie to the sherife, or any other to answer to her grace the profits of the same lands, and he doe make waste or destruction in the wardship, he shall make amends to the Queene, and the land shall be committed to ii. lawfull and discrete men of the same fee, which shall answer the Queene, or him which she will assigne, the profits of the same lands. Magna Charta. 4.

Waste in wards land by the Queene committed.

22 ¶ If the Queene doe giue or sell to any man the wardship of any such land, and he doth make wast or destruction therein, he shall lose the wardship, and it shall be deliuered to two lawfull and discrete men of the same fee which shall answer the Queene the profits &c. Magna Charta. 9. H. 2. 4.

Waste in wards lands by the Queene graunted.

23 ¶ An Escheto shall haue no fee of wood, Venison, fish, nor other things, but shall answer to the Queene the issues and profits perely comming of wards landes, without doing wast or destruction. And if any Escheto or Subescheto do commit wast in any wards landes, as in houses, woods, parkes, warrens, or other things that fall into the Ducenes handes, he that hath receiued the losse shall haue an action of wast out of the Chauncery against the Escheto for his

An Eschetone shall haue no fee nor commit wast in wards landes.

act, and the subeschetor for his act (if he haue whereof) and if he haue not, his Master shalbe answerable for the damages. And if the Eschetor be attainted of waste, he shall be punished at the Queenes pleasure, and peelde to the heire treble damages at the heires owne suite, as well within age, as of full age, and his friends as long as he is within age, shall haue the suit for him, answering to the heire that which shalbe recovered. Articuli super chart, 34. Ed. 1. 18. 36. Ed. 2. 13.

Fraudulent
conueyance to
defeate the
Queene or
other Lords
of their wards
ship &c.

24 ¶ If any person hauing estate of inheritance, of, or in manors, lands, tenementes, or hereditamentes, holden of the Queene by knights seruice in chiefe, or otherwise of the Queene by knights seruice, or of any other person or persons by knights seruice, hath giuen at any time sithence the xx. day of July, 32. H. 8. An. D. 1540. or hereafter shal giue, wil, deuise, or assigne by wil, or other act executed in his life his manors, landes, tenements, or hereditaments, or any of them by fraude or couin, to any other person or persons, for terme of peeres, life or liues, with one remainder ouer in fee, or with diuers remaynders ouer for terme of peeres, life, or in taile, with remainder ouer in fee simple to any person or persons, or to his or their right heires, Or at any time sithen the sayd xx. day of July hath conueyed, or hereafter shall conuey or make by couin, (contrary to the true intent of the act prouided. 34. H. 8. for the making of willes) any estates, conditions, mesualties, tenures, or conueyances, to the intent to defraud or deceiue the Queene of her prerogatiue, primer seisin, liuery, reliefe, wardships, mariages, or rites, or any other Lords of their wardships, reliefes, heriots, or other profits which shoulde or ought to accrue, growe or come vnto them or any of them, by or after the death of his or their tenant, by force and according to the statutes made. 32. H. 8. 1. & 34. H. 8. 5. And the same estates and other conueyances being found by office to be so made by couin, fraud, or deceite, contrary to the true intent of the sayd act: Then the Queene shall haue as well the wardship of the body, and custodie of the landes &c. as liuerie, primer seisin, reliefe, and other profits which shoulde or ought to appertaine to her, according to the true meaning of the sayde acts, as though no such estates or conueyances by couin had neuer bene had or made, vntill the sayd office be lawfully vndone by trauers or otherwise. And the other Lord and Lords of whom any such lands &c. shall be holden by knights seruice, as is aforesayd, shall haue their remedie in such cases, for his or their wardships of bodies and landes, by writ or right of ward, and shall distraine and make auowry or cognisance by them selues, or their bailifes for their reliefes, heriots, and other profits which should haue bene to them due, by or after the death of their

their tenant, as if no such estate or conueyance had bene had or made: Sauing the right and title of the donees, fessees, lessees, and deuisees thereof against the sayd deuisor and his heires, after the interest and title of the Queene or other Lord therein ended. 34. H. 8. 5.

The donees title saued after the Lords interest determined.

25. ¶ If two or mo doe holde any landes, tenements, or hereditaments of the Queene by knightes seruice ioyntly to them, and the heires of one of them, and he that hath the inheritance thereof, dieth, his heire being within age, the Queene shall haue the ward & mariage of the body of such heire, the life of the freeholder or freeholders of the said land &c. notwithstanding. 32. H. 8. 1.

Wardship by reason of a remainder onely.

26. ¶ All wards which the Queene is intituled to haue with their manors, landes, tenements, rents, remainders, reuerfions, seruices, and all other hereditaments, as well in possession as reuerfion, and all reuenues, issues, and profits of the same, for the time the same be, or ought to be in the Queenes possession, shalbe in the order, suruey, and gouernance of the Queenes court of wardes and liueries, and the ministers of the same. 32. H. 8. 46.

All the Queenes wards, & their lands in the order of the court of wardes.

27. ¶ The Master, Atturney, Receiuor generall, and Auditors of the Court of Wardes & liueries, or thre of them, whereof the Master shalbe one, haue auctoritie to make sale & grant of the Queenes wards and euery of them, and of part of their landes during their minozitie, the same sale & grant to passe by the Queenes bil assigned. And also the said Master with the aduice of the said Atturney and Receiuor, or one of them, haue auctoritie without the Queenes bill assigned, to make woodsales to the Queenes vse, of all vnderwoods, vpon any of the Queenes wardes landes, being lawfully in the Queenes possession. And to take & appoynt timber for the necessarie reparations of all the castels, manors, landes, tenements, and parkes of the said wardes. And in the Queenes name to make leases during the minozitie of the sayd wards, of all Lordships, manors, landes, and tenements, remaining in the Queenes hands, and belonging to the said wardes, yeelding to the Queene such rents, as shall be thought conuenient by the discretion & suruey of the sayd Master, Atturney, Receiuor, and Auditors, or thre of them, whereof the Master to be one. And also the said master by the aduice of the said Atturney, Receiuor, & Auditors, or thre of them, hath auctoritie to suruey al the Queenes widowes, & to treat, common, & conclude with all and euery of them that haue married themselves without the Queenes licence, for their reasonable fines to be made to the Queenes vse, and to take and aslesse the same by their discretion, according to the statute of Prærogatiua Regis. And also to suruey, gouerne, and order all and singular Ideots, and naturall fooles,

The auctoritie of the head officers of the court of wardes and liueries. Grant of wardes.

Woodsales.

Reparations. Leases.

The Queenes widowes.

Ideots.

Intrusion.

Bonds of acc-
comptants.

S. 33. D. 8. 39.
That the suite
shalbe in the
same Court
vnder the seale
of the same
Court of
wardes &c.

Whiche be in the Queenes hands, and all the manors, lands, and heredi-
taments &c. being in the Queenes hands, or in the hands of any o-
ther person to their vles, that doe come or be in her graces hands, in
the right of any of them, by reason of her prerogative royall. And
by the sayde aduice &c. thre or two of them to let and set the ma-
nors, lands, and tenements to the Queenes vse, for the time of the
Queenes interest, for such rent and fine, as by their discretions shall
be thought conuenient, the finding and keeping of the persons, their
wiues, and children, and the reparations of their sayde houses and
landes alwayes to be considered. And the sayd Master with the aduice
of the sayd Attorney, Receiuer, or one of them, hath auctoritie to
call at all times before them, into the office of the wardes &c. by the
proces of the same Court, euery person which is or hath bene the
Queenes warde, intruding, or entring into, or vpon his landes, or
vpon any part thereof, after his full age of xxi. yeeres, and before
he hath sued and obtained his Liuerie, or Ouster le maine for the
same, out of the Queenes handes, vnder her great seale, as well
to make answer for his intrusion vpon the Queenes possession, as
to make payment to the Queenes Receiuer generall of the same
court, of all such rents, issues, and profits by him taken at any
time after his full age of xxi. yeeres, and before liuery sued for the
same out of the Queenes handes. And the sayde Master in all
places, and the sayd Attorney, Receiuer generall, and Auditor
or two of them in the sayd Court (the Master being absent) haue
auctoritie to take obligations to the Queenes vse, of euery particu-
lar Receiuer, which shalbe assigned for the said Court, and of his suer-
ties for sure payment of his receipts, and to take obligations to the
Queenes vse, as well of euery farmor, bailife, reue, or other accom-
ptants for the true paiment of their receipts, and of euery person which
is indebted to the Queene for any arrearages of his receipts, farmes
or charges, as of any other person, for any other cause or matter con-
cerning the premisses, determinable within the said Court. And all
such obligations and writings obligatorie, of what summe soeuer they
be, be of the same strength, qualitie, and effect, to all intents, as wri-
tings obligatorie, made by any lay person by auctoritie of the statute
staple bene or ought to be. And vpon certificate made in the Chancery
of any such writings obligatorie, taken for such paiments, like pro-
ces & executions shalbe thereupon had & made against any person spi-
rituall and temporall, as hath bene accustomed to be made against any
lay person, vpon certificat of writings obligatorie of the said statute
of the staple. And the Master, Attorney, and Receiuer general, or ii. of
them,

them, haue aucthoritie to set such fine, as by their discretion shal seeme
 good, vpon any person called by y^e Queenes proces of the same Court,
 to appeare at Westminster in the same court within the terme, at a
 certaine day to him prefixed to appeare, and hath day giuen in Court
 to make answere to the matters objected against him in y^e same Court
 in the Queenes behalfe, which doth depart the Court before answere
 made, and Atturney put into the court with assent of the court, for pro-
 secuting the matter with effect, which fine shalbe leuied of his landes,
 tenements, goods and cattels, to the Queenes vse. And also the sayde
 Master hath aucthoritie to make and appoynt al and singuler particu-
 ler Receiuors, Feodaries, and surueyors, in euery shire, and also fees
 for executing the same vnder the seale of the same office, in such wise
 as the same Officers may be alwayes remouable at the discretion of
 the said Court. And also to make allowance of the costes of all Com-
 missioners, particular Receiuors, Surueyors, Auditors, Councellores,
 and Feodaries, and euery of them, by his bill assigned, which bill is a
 sufficient warrant to the Auditours of the same court, to make allow-
 ance of the same. And the said Master hath aucthoritie to take Recog-
 nissances of al persons that be called into the said Court to answere to
 any matter alledged against them in the sayde Court, to make their
 daily apparance in y^e said Court, to answere to such matter, as to them,
 then and there from time to time shall be alleaged. And all such recog-
 nissances of what summe soeuer they be, be as good & effectual in the
 lawe to all intents, as recognissances taken in the Chauncery or els-
 where, before any Iudge of Record, within this Realme. And the
 sayde Master with the aduise of the Court, or of such number of the
 same as then be present, so that they be two beside the sayd Master,
 haue full power to moderate such Recognissances as be there forfait-
 ed, and to set fines for the same to the Queenes vse vnder the summes
 contained in the said recognissances, the same fines to be leuied by pro-
 ces of Scire facias &c. And the saide Master with the aduise before-
 sayd, hath aucthoritie to commit to ward any person or persons for his
 or their disobedience, contempt, or other offence to be made, triable
 within the sayde Court, and vpon the sayde matters ordered, there
 to deliuer them from prison, and to cancell and make voyde all recog-
 nissances and obligations taken in the same Court to the Queenes
 vse, when the sayd Master, with the aduise of the sayd Court or three
 of them, shall see the matters for the which any such recognisance or
 obligation was taken to bee finished, and the Queene or partie
 thereupon satisfied without any other warrant for the same. 32. H. 8.
 46. 33. H. 8. 22. 33. H. 8. 39.

Assessing of
 fines.

Appointments
 of officers.

Recognissances
 of apparance.

Moderating of
 Recognissances
 forfeited.

Committing
 to prison.

Cancelling of
 bondes.

The fees for
proces & recoy-
ding apparāce

28 ¶ The Master and Officers of the Court of Wards and Liveries, shall take for the fee of all proces, at the suit of the parties under the privie seale of the same Court iii.s.vi.d. And for þ fees of al Commissions, directed out at the suite of the parties ii.s.vi.d. And for recoring of all apparances iii.d. and no more. 32.H.8.46.

1 Within what time a patent of wardship shalbe sued forth after the graunting thereof. S. Patents 12.

2 What those Officers of the Court of wardes shall forfait, which doe withdraw or conceale any of the Queenes rentes or profits. S. Offices. 7.

¶ Warrantie.

Warrantie by
Dedi & concessi

¶ In deedes where it is contained, Dedi & concessi tale tenementum, &c. I have giuen and graunted such a tenement, without homage or any clause that containeth warrantie, and to hold of the donors and their heires by a certaine service, the donors and their heires shall be bounde to warrantie. And where it is contained Dedi & concessi &c. to hold of the chiefe Lordes of the fee, or of any other then of the feoffors or their heires, reserving no service to himselfe, without homage, or without the foresayde clause of warrantie, his heires shall not be bounde to warrantie, but the feoffor by reason of his gift shall be bounde to warrantie during his owne life. Statut, de Bigamis. 4.Ed.1.6.

The husband
doth alien his
wifes land &
warrantie.

2 ¶ If a man alien the land that he holdeth by the curtesie of England, his sonne shall not be barred by the deede of his father (from whome no heritage to him descended) to demaunde and recouer by writte of Mortdaucestor of the seisin of his mother, although it be mencioned in the deede, that his father did binde him and his heires to warrantie. And if any heritage descende to him of his fathers side, then he shall be barred for the value of the heritage, that is to him descended. And if in such case after the death of his father, any inheritance descende to him by the same father, then shall the tenant recouer against him of the seisin of his mother by a Iudiciall writte, that shall issue out of the rolles to the Iustices before whom the plea was pleaded, to resummon his warrantie, as before hath bene done in like cases, where the heire of the warrantour commeth into the Court, saying, that nought descended from him vpon whose deede he is vouched. And in like maner, the issue of the sonne shall recouer by writte of Cosinage, Aiel, and Besaiel: Likewise and in like maner, the heire of the wife shall not be barred after the death of his

his father and mother, to demaunde by Action the inheritance of his mother by writte of Entry, which his father did alien in the time of his mother, wherof no fine is leuied in the Kings Court. Gloucester, 6. Ed. 1. 3.

1 Where the Queene shalbe bound to warrantie. S. Ayde of the Queene 1.

2 Where a womans suite or her heires shall not be differred by the minoritie of the heire which shoulde warrant the landes. S. Women 12.

Waste.

FErmoys during their termes shall not make waste, sale, or exile of houses, woods, and men, nor of any thing belonging to the tenements which they haue in ferme, without they haue speciall grant by writing, making mencion of the couenant that they may doe it. Marlb. 52. B. 3. 24.

No fermor shall make waste without warrant.

2 A man shall haue an action of waste in the Chancery against him which is tenant by the curtesie of England, or otherwise, tenant for terme of life, or for terme of yeeres, or against a woman which holdeth in dower, and he which shalbe attainted of wast, shall lose the thing wasted, and besides shall pay treble so much as the wast shalbe taxed. Gloucester, 6. Ed. 1. 5. After such time as a plea is moued in the Citie of London by writte, the tenaunt shall haue no power to make any waste or estrepement of the land which is in demaund, hanging the plea. And if he doe, the Maior and Bayliffes shall cause to be kept at the suite of the demaundant. And the same ordinance and statute shall be obserued in other Cities, Boroughes, and els where, throughout the whole Realme. Gloucester. 6. Ed. 1. 13.

An action of waste against tenant by the curtesie, for life or yeeres.

No waste or estrepement hanging any suite.

3 Of every maner of waste committed in any mans inheritance by gardeins, tenants in dower, by the curtesie, or otherwise for terme of life, or for terme of yeeres, to the damage of another, a writ of summons shalbe awarded, and if after the summons, he against whom the writ is brought appeare not, he shalbe attached, and after the attachment he shall be distrained, and if he appeare not after the distress, the sherife shalbe commanded, that in his owne proper person taking with him xii. &c. he shall goe vnto the place wasted and enquire of the waste committed, and returne the inquisition, and after the inquisition is returned, iudgement shalbe giuen, as is contained in the statutes of Gloucester, West. 2. 13. Ed. 1. 14. S. 2.

Proces in an action of waste.

A writ to enquire of waste.

Tenant for life
or peres, granteth
ouer his
estate, taketh
profits, & com-
mitterh wast.

4 ¶ If any persons do let their lands to any other for terme of life, for terme of an other mans life, or for terme of peeres, and the tenants doe graunt their estate which they haue in the same, to any other persons to the intent that they in the reuerſion ſhould not knowe their names, and after the firſt tenants do continually occupy the ſayd lands, and take thereof the profits to their owne uſe, and in the ſaide landes commit waſte to the diſheritance of them in the reuerſion, in ſuch caſe they in the reuerſion may haue & maintaine an action of waſt againſt the ſaid tenants, and ſo recouer againſt them the place waſted, and their treble dammages for the waſt committed, as they ought to haue done for the waſt by them done before the ſaid graunt. But this ordinance holdeth not place, but where the firſt tenants were puniſhable of waſt before the graunting of their eſtate, and alſo where after the ſaid graunt they tooke the profits of the ſame lands to their owne uſe, at the time of the waſt committed. 1 H. 6. 5.

Waſt commit-
ted by a tenant
in common.

5 ¶ Whereas two or more do hold any wood, turbarie, fiſhing, or other ſuch things in common, wherein none knoweth his owne ſeu- rall, and one of them doth commit waſt againſt the will of the other, an accion of waſt may lie, and when it is come vnto iudgement the defendanſt ſhall chooſe eyther to take his part in a place certaine by the aſſignment of the ſherife, and by the view and oath of his neighbours ſworne and tried for the ſame intent, or els he ſhall graunt to take nothing from thenceforth in the ſame wood, turbarie, and ſuch other, but as his partners will take, and if he do chooſe to take his part in a place certaine, the place waſted ſhalbe aſſigned for his part according as it was before he committed the waſte. Weſt. 2. 13. Ed. 1. 22.

1 The remedie where waſt is committed in any wardes landes, S. Wardes 10. 11. 21. 22. 23.

¶ Watch & ward.

When the
night watch
ſhall beginne
and end.

Arreſting of
night walkers

From the feaſt of Aſcencion vntill Michaelmas in euery Citie vi. men ſhall watch at euery gate, in euery borough xii. men, in euery towne vi. or iiii. according to the number of the inhabitants of the towne, and ſhall watch the towne at night, from the ſunne ſetting to the ſunne riſing, and if any ſtranger do paſſe by them he ſhalbe arreſted vntill morning, and if no ſuſpition be found, he ſhall go quite, & if they finde cauſe of ſuſpition, they ſhall forthwith deliuer him to the ſherife, and the ſherife ſhal receiue him without hurt, vntil he be acquitted in due maner, and if he wil not obey the arreſt, they ſhal leuy huy and crie vpon him, and ſuch as keepe the towne ſhall follow with huy & crie with all

all the towne and the townes neere, and from towne to towne, untill he be taken and deliuered to the sherife; as befoze is saide, and for the arrestments of such straungers none shal bee punished. Winchester 13. Ed. 1.

2 In great townes walled, the gates shalbe shut from the sunne setting untill the sunne rising, and no man shall lodge in the suburbs or any place out of the towne from ix. of the clocke untill day, except his host wil answere for him, and the bailifes of townes euery weeke, or at the least euery xv. day shall make inquirie of all persons being lodged in the suburbs, or in fozeine places of the townes, and if they finde any that hath receiued any suspicious persons not keeping the Queenes peace, the bailifes shall execute right and Justice therein, Winchester 13. Ed. 1. And Justices of peace haue power to make inquisition in their Sessions from time to time, and to punish them which bee founde in default after the tenour of the foresayde statute of Winchester. 5. H. 4. 3.

Warding of
walled townes.

Waxe.

Every person within this Realme, or the dominions of the same, which shall in the making and melting of waxe, by any way or meanes vse or practise, or cause to bee vsed or practised any maner Deceipt by mixture and mingling the same with Rosen, Tallow, turpentine, or any other deceiptfull thing, to the intent to sell and utter the same, or offer the same to be solde or uttered for waxe, to any person or persons whatsoeuer, shall forfeit and lose the same mingled or corrupted waxe. And if the same corrupted waxe shall happen to bee sold befoze such default and corruption shalbe founde, then the sayde melter, mingler, or corrupter, causer or procurer thereof, shall forfeite for euery pound two shillings, whereof the one halfe to the Queene, the other halfe to the partie deceiued, if he wil sue for it, or any other person or persons that will sue for the same, in any of the Queenes courts of Record. 23. El. 8.

Using deceits
by mixture in
melting of
waxe.

2 Every melter and maker vp of vnwrought waxe, shall haue for himselfe a stampe, or marke of the bredth of sixe pence, wherein two letters shalbe plainely grauen, signifying his name & surname, and with the same shall stampe euery peece of waxe, to bee printed or stampen trapangle, in three places vpon the outside of the vpper part of euery peece so melted and cast, vpon the payne to forfeite the value of euery peece or cake sold, or offered to be sold, & not so stamped or marked, 23. El. 8.

Every melter
of waxe, shall
haue his mark

Wrought wax
marked.

3 **N**o person ne persons within this Realme, or the dominions thereof, shall melt, mixe, worke, or sell any maner of wrought ware, stuffe or wares wrought with waxe, as in lightes, stafforches, redwax, or sealing ware, bookecandle, searingcandle, searing of dead corpes, lynkes, grenewaxe, redwaxe, or any other worke, or thing whatsoever, to be done or wrought with waxe to be put to sale, but with good, wholesome, pure, and conuenient stuffe, meete in such wares or worke in conuenient quantitie to bee vled. And every person or persons, that shall worke or sell such stuffe or wares of waxe, shall haue a marke or stampe, or seale, to set on his or their worke by him or them wrought, or solde, to the intent that if any disceipt bee vled or done, it may bee knownen who were the workers thereof, and such person or persons as shall be found or knowen to worke or sell, or to sale put, any such false ware, or wares wrought with waxe to be put to sale, shall forfeite the same corrupted or deceitfull ware and wares, the one halfe to bee to the Queene &c. and the other to the party deceiued, if he shal sue for the same, or otherwise to him or them that will sue for the same, by A. B. P. or J. in any the Queens courts of record, wherein no E. P. W. &c. shalbe allowed. 23. El. 8.

Corrupted or
falle mingled
waxe forfeited

4 **E**very person & persons whatsoever, which shal sel or offer to be sold, any corrupted and false mingled waxe, shal for the said waxe, the one moytie thereof to be to the Queene, and the other to the party deceiued, if he shall sue for the same, or otherwise to him or them that will sue for the same as aforesaid. 23. El. 8.

Selling waxe
of their owne
Bees.

5 **P**rovided alwaies, that this act, as touching the marking of waxe, shall not extend to any person or persons, selling the waxe of their owne bees in open markets in small pieces, nor to any seruant or seruants, or other persons, mingling, or corrupting any waxe, by commaundement of their master or other person having authority ouer them, so as they will confesse the same. 23. El. 8.

Counterfeiting
of markes, or
marking with
an others
marke.

6 **I**f any person or persons shall at any time hereafter counterfeite any the markes aboue mencioned, or shall set to the marke or markes of any other person or persons without the consent of y^e same person or persons whose names the said markes shall signifie, every such offender in the premisses shall forfeite for every such default five poundes: the one moitie thereof to bee to the Queene &c. and the other moitie to the party deceiued, if hee will sue for the same, or otherwise to any other person or persons that will sue for the same by B. A. or J. in any of the Queens Courts of record, wherein no E. P. or W. shalbe allowed. And for non sufficiency of payment thereof, to bee set on the Pillorie, in the next market towne to the place where such offence

fence shalbe committed, and to suffer thre monethes imprisonment, without baile or mainpryse for euery offence committed contrary to this article of this present act. 23. El. 8.

Waightes & Measures.

One waight, one Measure, and one yarde, shalbe throughout the whole realme, as we' without the staple as within. Magna charta 26. 14. Ed. 3. 12. 27. Ed. 3. 10.

One waight, & measure throughout the realme.

2 By the consent of the whole Realme of Englande the measure was made, that an English peny called a sterling, rounde, & without clipping shall waigh xxii. coynes of wheate in the middest of the eare, & xx. d. shal make an once, xii. ounces of Troy waight shal make a pounce, & viii. li. of Troy weight shal make a gallon, viii. gallons shal make a bushell, which is the viii. part of a quarter, Compositio mensurarum. 51. Ed. 1. 12. H. 7. 5.

A bushell.

3 There be but only viii. bushels rased and stricken to the quarter of Cozne, & xiiii. li. to the stone of wooll, & xxvi. stone to the sacke. 11. H. 7. 4. 1. H. 5. 10. 15. R. 2. 4. 34. Ed. 3. 6. And whosoever doeth buy or sel woolls at more waight then at xiiii. pound the stone, shal pay double to the partie griued, & make fine to the Queene, according to the quantitie of the Trespas. 13. R. 2. 9.

A quarter of cozne, a stone, & sack of wooll.

4 Thre graynes of Barley dye and rounde doe make an ynche, twelue ynches doe make a foote, thre foote doe make a yarde, siue yards and a halfe doe make a perch, and forty perches in length and foure in bredth doe make an acre, Compositio vlnarum et per-ticarum.

An acre of ground.

The

V Vaightes & Measures.

The breadth			The length of the acre.		
Perche	Perche	Feete	Perche	Perche	Feete
10	16	0	28	5	11 $\frac{11}{14}$
11	14	9	29	5	8 $\frac{31}{38}$
12	13	5 $\frac{1}{2}$	30	5	5 $\frac{1}{2}$
13	12	5 $\frac{1}{13}$	31	5	2 $\frac{41}{62}$
14	11	7 $\frac{1}{14}$	32	5	0
15	10	11	33	4	14
16	10	0	34	4	11 $\frac{11}{17}$
17	9	6 $\frac{27}{34}$	35	4	9 $\frac{3}{7}$
18	8	14 $\frac{1}{2}$	36	4	7 $\frac{1}{2}$
19	8	6 $\frac{18}{19}$	37	4	5 $\frac{13}{17}$
20	8	0	38	4	3 $\frac{9}{19}$
21	7	10 $\frac{3}{14}$	39	4	0 $\frac{9}{13}$
22	7	4 $\frac{1}{2}$	40	4	0
23	6	15 $\frac{18}{23}$	41	3	14 $\frac{73}{82}$
24	6	11	42	3	13 $\frac{15}{44}$
25	6	6 $\frac{2}{5}$	43	3	11 $\frac{77}{86}$
26	6	2 $\frac{7}{11}$	44	3	10 $\frac{1}{2}$
27	5	15 $\frac{5}{18}$	45	3	9 $\frac{1}{6}$

A way of
Cheese.

Quære.

6 ¶ The wayght of a way of Cheese must containe xxxii. cloues, that is to say, euery cloue viii. pounce by the waights touching, 9. lb. 6. 8. Quære if a cloue be vii. pound or viii. pound.

7 ¶ Anno 11. lb. 7. 4. & 12. lb. 7. 5. It was enacted, that there should be carried into euery Citie, Borough, & market Towne hereafter named, one of euery waight and measure, which the sayde king lb. 7. caused to bee made of Brasse, according to his standarde of his Eschequer, there to remaine for euer, in the keeping of the heade officer of the same Citie, Borough, or towne, as the kinges standarde of waight and measure, and that the inhabitants of al cities, boroughes, and Market townes within euery of the said Shires, shoulde make, or cause to bee made, to remaine with them, common measures and waights,

waights, according to the same waights & measures, and that y^e same measures and waights should be viewed, examined, printed, signed, & marked by the head officer, in whose possession the said standard should remaine.

Westmerl.	Towne of Appleby	Surrey	Towne of Giltf.
Northumb.	T. of Newcastle	Sussex	T. of Lewes
Cumberl.	Citie of Carleol	Dron.	T. of Oxford
Lanc.	T. of Lancaster	Berk.	T. of Reding
Essex.	Citie of Wyke	Hereford	T. of Hereford
Lincoln.	Citie of Lincolne	Salop.	T. of Shrewesb.
Derb.	T. of Derby.	Staff.	T. of Stafford
Noting.	T. of Nottingham	Glouc.	T. of Gloucester
Leycest.	T. of Leicester	Wigorn.	T. of Worcester
War.	T. of Couentrie.	Wiltes.	T. of newe Sa-
Rotyl.	T. of Uppingham		isbury.
North.	T. of Northampton	South.	T. of Winchester.
Bed.	T. of Bedford	Som.	T. of Ilchester
Buck.	T. of Buckingham	Dor.	T. of Dorchester.
Canteb.	T. of Cambridge	Deuon.	T. of Excester
Hunt.	T. of Huntingdon	Cornub.	T. of Lestuchiel
Notst.	T. of Norwich	London	T. of London
Suff.	T. of S. Edmondes	Bristowe	T. of Bristowe
	bury.	Quinqz port.	Castel of Douer
Essex.	T. of Chelmesford	Couentry	T. of Couentry
Herts.	T. of Hertford	South.	T. of Southhamp-
Midd.	T. of Westminster		ton.
Kent.	T. of Maidstone	Chesler.	T. of Chesler.

The names of the townes li^umitted for the keeping of waights and measures.

8 Every head Officer hauing the said waights and measures signed and printed vnder the signe and print for the same, hath authoritie to make, signe, and print, like waights and measures vnto euery the Queenes subiects duely requiring the same, taking for marking or sealing of euery bushell i. d. of euery other measure ob. of euery T. waight i. d. of euery halfe T. ob. & of euery waight vnder qz. and not aboue, vpon paine to forfeit. for euery time that he refuseth or doth y^e contrary x. s. to the Q. & J. that will sue by A. of debt, wherin no W. &c. 11. H. 7. 4. 12. H. 7. 5.

Head officers may signe waights and measures to euery man that will.

9 No Merchant or other person within any Citie, or market towne, shall buy or sel with any waight or measure, except it be marked, signed, or printed, in forme aforesaid, nor any other person out of the said cities, boroughes, & market townes, except it bee like & equall

None shall buy or sel but with waights and measures signed & printed with

Water measure.

Waightes for tunage of tunne.

Viewing and examining waightes and measures.

Every citie, borough and market towne that haue a common balance and waightes.

Every one may weigh at the common balance and waight.

with the said standard. And euery person aswell without Cities, Boroughs, & market townes as within, shall buy & sell with a bushell sealed, signed, or marked, after the forme aforesaide, & none otherwise. But this act shall not extende to any person selling or buying by water measure within the Shipborde, but the same shall onely containe five peckes after the sayde Standarde rased and stricken, neither shall this act extende to any waightes appertaining to the cunage of tinne within the Counties of Cornewall and Deuonshire, but all such waightes shall bee vled and corrected as hath bene vled. 11. P. 7. 4. 12. P. 7. 5.

10 ¶ All the Maiors, Bailifes, and other head officers of euery Citie, borough, or market towne, shall cause twice in the yere or oftener, as they shal thinke necessary, all waightes & measures win the said cities &c. to be brought before the, & to be duely viewed & examined, & such as they shal find defectiue immediatly to be broken & burnt, and the offendor shall for the first time vi. s. viii. d. to the saide Maior, Bailife, or any other hauing iurisdiction & correction in þ behalf, & at þ second time xiii. s. iiii. d. And at the thirde time xx. s. and for the further punishment, shalbe fet vpon the Pillorie to the example of other. But the examination of defaultes abouesaide and punishment to the offenders of euery offence committed within any of the five portes shalbe done by the Lorde warden of the saide p. portes, or by his lieutenant and none other. 7. P. 7. 3. 11. P. 7. 4. 12. Pen. 7. 5. See Iustice of peace. 92.

11 ¶ Every citie vpon paine of x. li. euery borough vpon paine of C. s. And euery towne where a Constable is vpon paine of xl. s. to be leuied to the vse of the Queene so often as they shalbe found defectiue, shal haue a common ballance with waightes according to the standarde of the Eschequer. 8. P. 6. 5. But these penalties shall not extend to any Towne which is no Citie, Borough, or market Towne. 11. P. 7. 4. By the foresaid statut of 8. P. 6. the burgesses of the borough of Dorchester shall not bee disturbed of their right to vse their weighing by xii. Miles about the same borough, vsing alwaies such common waightes as be according to the standard of the Eschequer. 9. P. 6. 6.

12 ¶ At the common ballance, and common waightes sealed, of euery citie, borough, and towne, all the inhabitantes of the same Citie, Borough &c. may freely waigh without any thing paying, taking neuertheless of forreines for euery draught within the waight of xl. li. q. & for euery draught betwixt xl. and C. li. ob. & for euery draught betwixt C. li. and a M. li. i. d. at the most, whereof the waightes shalbe maintained.

tained, and the officer rewarded by the discretion of the chiefe of the citie, borough, &c. according to his attendance, 8.H.6.5.

13 **I**ustices of peace, Sherifes, Eschetoys, and other commisioners assigned by the Queen, haue power by commission to enquire of all falsifiers and counterfaiers of false waights, and to take and imprison them, and in prison to holde them without mainprise, vntill they bee acquitted or attainted, and if they bee attainted, their bodie shall remaine in prison vntill they haue made fine and ransome according to the Iustices discretion, 9.H.5.8.S. Iustice of peace. 92.

Counterfaiers
of weights.

14 **W**oolles, and all maner of Auer de poyss shall bee waighes by the ballaunce which is equall, and by lawefull waights sealed according to the Standard of the Eschequer, so that the tongue of the ballaunce shalbe equall, without bowing to the one side, or to y other, or without putting hande or foote, or other touching thereof, and hee which doeth the contrary, to the damage of the seller, shall forfeite to the Queene the value of the goods so weighed, shall be two yeeres imprisoned, and make fine at the Queenes pleasure, and the plaintife shall haue his quadruple damages, 25.Ed.3.9.27.Ed.3.10.13.R. 2.9.8.H.6.5.

Waighing by
equal balance.

15 **B**y the statutes intituled, Assisa panis & seruitia, Statutum panis & seruitia, Iudicium Collistrigii, Statutum de pistoribus, Bra- ceatoribus, & aliis vitellariis made 51.H.3. & 51.Ed.1. there were seuerall ordinances provided for the prices of bread and ale, according to the price of corne, viz. when a quarter of barley was solde for ii.s. that then Brewers shoulde sell iiii.gallons of Ale for i.d. when Barley was solde for ii.s.vi.d. the quarter, then vii.gallons for ii.d. when Barley was solde for iii.s. the quarter, then iiii.gallons for i.d. when for iii.s.vi.d. the quarter, then v.gallons for ii.d. and when for iiii.s. y quarter, then two gallons for i.d. and so shoulde rise & fall, as the price of corne did rise & fall by vi.d. in the quarter. And there bee also seuerall waights assessed of y wastell bread, the Cinniall, y Cocket bread, & housholde bread, according to y price of wheat rising or falling betwixt xii.d. & ii.s. the quarter, al which sorts of bread were ordained to be wayed by sterling money, as it was currant in the raignes of king H.3. and king Ed.1. viz. that a sterling peny shoulde way 32.graines of wheat in the middell of the eare, & that xx.of those pence shoulde make an ounce, which values time sithence hath much altered, but omitting the value, and casting the iust waight of an ounce, the same proportion in waight which the statute appointeth, is to be obserued, and the waights and measures which bee kept and vled in Cities, Townes,

The Assise of
bread & ale.

Townes, and Boroughs, according to the statute of 11. H. 7. and 12. H. 7. do agree with the foresaid olde statutes in effect. And in the said old statutes it is ordained, that the prices of bread and ale shall not be changed, but as corne riseth or falleth vi. d. in the quarter, and that if the baker or brewer do breake the assise, the first, the seconde, and the third time, he shalbe amerced according to the quantitie of his offence, except his offence be great, but if his offence be great, or that he doth offend a fourth or more often times, the baker offending shalbe set vpon the Pillorie, and the brewer shalbe punished by the Tumbrell, which punishments shall not bee pardoned for golde or siluer. And if the Bakers farthing bread bee founde lacking ii. s. vi. d. or vnder, (vz. an ounce and demy Troy) hee shall bee amerced, and if it excede, he shall be set vpon the Pillorie. And the Pillorie shall bee of sufficient strength, that the iudgement may bee executed vpon the offendours without perill of the body. S. Bruers. 2.

1 By what measure the Queenes Purueyors shall take corne and other vitaille. S. Purueyors. 16.

2 For the length, breadth, and waight of all maner of cloth. See Draperie. 1. & c. 73.

3 For the assise, length, and breadth of Couerlets made in Yorkshire. S. Couerlets. 3.

4 For the content of eche vessell of wine, hony, and oyle. See Wine. 16.

5 For the content of a But, Barrell, halfe barrel, and other vessell of Salmon. S. Fish. 8.

6 For the content of a barrell, halfe barrell, and firkin of herrings & Eles. S. Fish. 9. 10.

7 For the content & waight of barels & firkins of Sope. S. Sope 1.

8 For the content of euery vessell made for Ale and Beere. See Coupers 2.

9 Howe he shall be punished, which occupying buying of Pewter or brasse, doeth occupy any deceiueable beames and waighes S. Pewter. 4.

10 That woollen cloth shalbe folde by the yarde and ynche. S. Draperie. 73.

11 By what measure Millers shal take their Tolle. S. Tolle. 2.

12 For the weight of hempe and howe much shalbe accopted a stone. S. Cables. 3.

Wweares.

By the statut of Magna chart. chap. 15. 16. & 23. It was provided, That no village or freemen shoulde bee distrained to make any
Bridges.

Bridges or Bankes, but such as by right they were wont to make, Nor that any bankes shoulde be from thenceforth defended, but such as were defended in the time of king H. 2. and by the same place & the same boundes. And that all weares shoulde bee wholly put downe by **Weares.** Chamise, Medwey, & through al England, sauing by the Sea coast.

2 **A**l such weares, milles, stankes, stakes, and kiddles, which be leuied and set vp in the time of R. Ed. 1. & after, wherby ships & boats **New weares** **shalbe pulled** **downe & not** **repaired.** be disturbed that they may not passe in such riuers as they were wont, shalbe taken away & pulled downe, & not be set vp againe, and therupon writs shall bee sent to the sherifes of the places where neede is, to suruey, inquire, & thereof make execution. And also Iustices shalbe assistant as often as neede shal require. 25. Ed. 3. 4. And if any such nuisance be pulled downe, according to y^e intent of y^e foresaid stat. hee that shall leuy or set vp y^e same againe, & therof shalbe in due maner attained, shal forfeit to the Queene C. markes, to be leuied by the estreates of the Eschequer. And the same lawe shal hold place of any annoiance committed by the enhauncing of such weares, mils, stanks, stakes, and kiddles, as by the making of newe. 45. Ed. 3. 2.

3 **C**ommissions shall be directed in due forme to sufficient persons to be Iustices in euery county of England where neede shalbe, to **Commissions** **to suruey the** **faultes of** **weares.** suruey & keepe the waters & great riuers there, & to correct & amende the faults, & to make due execution of y^e foresaide stat. of 25. & 45. Ed. 3. according to the effect thereof, as well by their suruey, aduice, & discretion, as by Enquests thereupon to be taken wthin franchises & without, if & whē neede shalbe, & to heare & determine the foresaid things. And moreouer to suruey the weares, mils, stanks, stakes, and kiddels aunciently v^sed and leuied before y^e time of R. Ed. 1. And those which they shall find too much enhaunced or strengthened, to abate, reforme, and amende, in maner and forme aforesaid: Sauing alwayes a reasonable substance of the weares, mils, stankes, stakes, and kiddles aforesaid, so in olde time made and leuied. 1. H. 4. 12. See 4. H. 4. 11. That Commissions shall bee made to certaine Iustices and other in euery Countie where neede shalbe, to enquire of al that which is contained in the sayd statutes, and to punish the offenders of the same by fine, according to their discretion: Sauing alwayes to the Queene y^e paynes **Commissioners** **allowance for** **their paynes.** comprised in the sayd statutes. And the estreates of such fines shall be deliuered by the sayd Iustices to the sherife of euery County by Indenture, and the sherife shall pay of the issues and profits rising of the sayd Estreates, to euery of the said Iustices for euery day, that he shal trauell to exercise the said Commission. iiii. s. and the sherife shal thereof haue allowance in the Eschequer.

The forfeiture
of offenders.

4 And if any such anoyance of weares, milles, stankes, stakes, and kiddels of passages, and streightnings in olde time made & leuyed, be iudged or awarded by the said Iustices to be abated or amended, he which hath the freehold thereof, shall execute the same at his owne costs, within halfe a yere after notice therof to him giuen, vpon paine of C. markes, to be payed to the Q. by the estreats of the Eschequer. And hee which doeth make them to bee set vp againe, enhaunced, or strengthened contrary to the sayd iudgement, and thereof is duly conuict, shal forfeit to the Q. C. markes to be payed as is aforesayd. And in case any man feeleth himselfe griued by execution or other meane in this behalfe agaynst right and reason, let him pursue it, and hee shall haue right and reason. 1. H. 4. 11.

An offence
not reformed
according to
the Commissi-
oners award.

5 If by award or iudgement of any of the said Commissioners assigned according to the sayd stat. of 1. H. 4. it be found that any such weares, fishgarths, milles, mildammes, milstankes, lockes, hebbingweares, stakes, kiddels, heckes, or fludgates be made, leuyed, enhaunced, streightened, or enlarged, contrary to the same stat. if the offendours in this behalfe, contrary to the sayd award, rule, and iudgement being duely warned by the sherife or vndersherife of the countie or counties where such weares, fishgarths &c. & other anoyances, disturbances or impediments aforesayd shalbe found, made, leuyed, streyghtened, or enlarged, by Scire facias being directed to the sayde sherife or vndersherife, do not win thre moneths next after the sayd garnishment made, at their owne costs & charges duely and fully amende, break downe, & auoyd the sayd making, leuying, enhaunling, streightning, or enlarging, being defectiue, as in the foresaid stat. is specified: Then he or they which shall in this case offend, shal forfeit to the Q. for euery default C. markes, by transcript to be deliuered into the Eschequer, in maner & forme, as in the sayd stat. is conteyned. And if the offendor his heire, heires, assignee, or assignees, or any of them doe deferre or continue the same defaults, contrary to the foresaid award, rule, and iudgement of the Commissioners aforesayde, he or they so differring or continuing the same default, shal forfeit for euery moneth after the sayd iii. moneths ended, that the same default shall remaine and be not corrected, amended nor reformed C. Markes to the Q. and any of her subiects that will sue by A. of debt, wherein no W. C. P. &c. 12. Ed. 4. 7.

An offence
made or com-
mitted by a
stranger con-
trary to the
Commissio-
ners award.

6 If any person other then such against whom such award, rule, or iudgement was made and had, not being heire or assignee to them, or any of them, will presume to occupie or continue any such weares, fishgarths, mils, mildams, milstankes, lockes, hebbingweares, stakes, kiddels, hecks, fludgates, or other disturbances or impediments, as is aforesaid

aforesayde, he or they which doe presume to occupy or continue shall
forf. for every default for every moneth, as is aforesayd C. Markes to
the D. and any of her subiects that will sue by A. of debt, wherein no
W. E. P. &c. 12. Ed. 4. 7.

¶ White Ashes.

No person shall shippe, lade, carrie, or conuey any white Ashes to-
ward the parties beyond the Seas, vpon paine of forfeyture of white ashes
shall not be
transported.
vi. s. viii. d. for every bushell of such Ashes so to be shipped or laden, to
be caried or conueyed into the parts beyond the seas, to the Queene &
Informers, to be recovered by Action, Information, &c. wherein no
W. E. P. &c. 2. Ed. 6. 26.

¶ Wildfoule.

From the first day of March vnto the last day of June yerely, no
person shall willingly withdraue, purloyn, take, destroy, or couey
any egges of any kind of wildfoule from any nest or place where they
shalbe layed by any kinde of the same wildfoule, vpon paine of impi-
sonment for one yere, & to forf. to the D. & I. &c. for every egge of any
Crane or Bustard, so destroyed or taken from any nest or place xx. d.
and for every egge of every Bitter, Heron, or Shouelard viii. d. and
for every egge of every Mallard, Teale, or other wildfoule i. d. wher-
in no W. E. P. &c. This act shall not bee hurtfull to any person that
will destroy any Crows, Thoughs, Rauens, and Bustards, or theyr
egges, or to any other foule or their egges, not comestible or vled to be
eaten. 25. H. 8. 11. 3. Ed. 6. 7.

¶ Willes & Testaments.

Every person hauing any manors, landes, tenements, or heredita-
ments, holden in socage, or of the nature of socage, & not hauing 10. Julii, An.
Do. 1540.
any lands &c. holden of the D. by K. seruice, or by socage tenure in
chiefe, or of the nature of socage tenure in chiefe, nor of any other per-
son by knights seruice, shall haue free libertie and power, to giue, dis-
pose, will, and deuise, as well by his last wil and testament in wryting,
or otherwise by any act or acts lawfully executed in his life, al his said
lands &c. or any of them at his pleasure, any law &c. notwithstanding.
lands holden
in socage, and
none in chiefe,
or by k. seruice
32. H. 8. 1.

2 Every person hauing manors, lands, tenements, or heredita-
ments holden of the D. her heires or successours in socage, or of the
nature of socage tenure in chiefe, and hauing any other lands &c. hol-
den of any other person in socage, or of the nature of socage tenure,
lands holden
of the D. in so-
rage in chiefe
& none holden
by k. seruice.

D d d. ii.

and

The D. pri-
mer seison and
fines for alie-
nations saved.

Lands holden
of the D. in
chief by K.
service.

Wardship,
primer seison,
fines for alie-
nations saved
to the D.
Lands holden
in chief, and
other lands
holden by K.
service.

and not hauing any lands &c. holden of the D. nor of any other person by knights seruice, shall haue full power, to giue, will, dispose, and de-
uise, as well by his last will or testament in writing or otherwise, by a-
ny act or acts lawfully executed in his life, al his said lands, tenements,
and hereditamentes, or any of them at his free will and pleasure: Sa-
uing to the D. &c. all her right, title, and interest of primer seison and
reliefe, and also all other rights and dueties for tenure in socage, or of
the nature of socage tenure in chiefe, as heretofore hath bene vsed, the
same landes &c. to be sued out of and from her hands by the person or
persons to whom any such lands &c. shalbe disposed, willed, or deuised,
in such and like maner and forme, as hath bin vsed by any heire before
the making of this stat. And sauing also fines for alienations of such
landes &c. holden of the D. in socage, or of the nature of socage tenure
in chiefe, wherof there shalbe any alteration of freehold or inheritance
made by will or otherwise, as is aforesayd. 32. H. 8. 1.

3 ¶ Euery person hauing any manors, landes, tenementes, or he-
reditamentes of estate of inheritance, holden of the Queene in chiefe
by knights seruice, or of the nature of knights seruice in chiefe, hath
full power by his last wil by writing or otherwise, by any act or acts
lawfully executed in his life, to giue, dispose, will, or assigne two parts
of the same landes &c. in thre partes to be deuided, or els as much of
the sayd landes &c. as shall amount to the clere perely value of ii. parts
of y^e same in iii. parts to be deuided in certainty, & by speciall deuisions
as it may be knowen in seueraltie, to and for the aduancement of his
wife, preferment of his childzen, and payment of his debtes, or other-
wise at his pleasure: Sauing to the D. the custody, wardship, and pri-
mer seison or any of them, as the case shall require, of asmuch of the
same landes &c. as shal amount to the full and clere perely value of the
iii. part therof, without any diminution, dower, fraude, couine, charge,
or abridgement of any of the same third part, or of the ful profits ther-
of. Sauing also to y^e Queene &c. al fines for alienations of al such landes
&c. holden of the Queene by knights seruice in chiefe, wherof there
shalbe any alteration of freehold or inheritance, made by wil or other-
wise, as is abouesaid. 32. H. 8. 1.

4 ¶ Euery person hauing manors, landes, tenementes, or heredi-
tamentes of Estate of inheritance holden of the Queene in chiefe by
knights seruice, and hauing other landes &c. holden of the Queene, or of
any other person or persons by knights seruice, or otherwise, shall haue
full power to giue, dispose, will, or assigne by his last will in writing
or otherwise, by any act or acts lawfully executed in his life, ii. partes
of the same landes &c. in thre partes to be deuided, or els asmuch of the
same

same lands &c. as shall extend to the yerely value of two parts of the same in thzee parts to be deuided in certaintie, & by speciall diuisions, as it may be knowen in seueraltie, to and for the aduancement of his wife, preferment of his childzen, and payment of his debtes, or otherwise at his pleasure, Sauing to the Q. the custodie, wardship, and primer seisin, or any of them, as the case shall require of as much of the same lands &c. as shal amount to the ful and cleere yerely value of the thirde part therof, wout any dimunition, dower, fraud, couin, charge, or subtraction of y^e same thirde part, or of y^e ful profits therof, & reseruing to y^e Q. al fines for alienations for any such lands &c. holden of her by K. seruice in chiefe, wherof there shalbe any alteration of free holde or inheritance, made by will or otherwise, as is abouesayd. 32. H. 8. 1.

Wardship,
primer seisin, &
fines for alie-
nations saved
to the Queene.

5 ¶ If any person hold any manors, landes, tenements, or hereditaments, onely of any other person then of the Q. by knights seruice and other lands &c. in Socage, or of the nature of Socage tenure, then he may giue, dispose, or assure by his last will, or otherwise by any act or acts lawfully executed in his life, two parts of y^e said lands &c. holden by knights seruice, or of as much thereof, as shall amount to the full yerely value of two partes, and also all the landes &c. holden by Socage, or of the nature of Socage tenure at his pleasure. Sauing to the Lord of the lands &c. holden by knightes seruice, for his custodie and wardship, as much of the same landes &c. as shall amount to the full and cleere yerely value of the thirde part of y^e same lands &c. holden by knightes seruice, without any diminution, dower, fraude, couine, charge, or subtraction of any portion of the thirde part, or of the cleere yerely value thereof, in manner and forme aforesayd. 32. H. 8. 1.

Certain landes
holden only of
comō persons
by knights
seruice, & other
in Socage.

The Lordes
wardship of
the thirde part
saved.

6 ¶ If any person holde any manors, landes, tenements, or hereditaments, onely of the Q. by knights seruice, and not in chiefe, or hold any lands &c. our sayd souereigne Lady by knights seruice and not in chiefe, and also holde other landes &c. of any other person or persons by knights seruice, and also hold other lands of any other in socage, or of the nature of socage tenure, then euery such person shall & may giue, dispose, deuise, and assure by his last will, or otherwise, by any act or acts lawfully done or executed in his life, two parts of y^e same lands &c. holden of the Q. by knights seruice, and two parts of y^e same lands &c. holden of any other person or persons by knightes seruice, or as much of either of them, as shall amount to the full yerely value of ii. parts, and also al his lands and tenements so holden in socage, or of the nature of socage tenure, at his pleasure. Sauing to the Queene the custodie and wardship of as much of the same landes &c. as shall a-

Certain landes
holden of the
Queene, & cer-
taine of others
by knights
seruice, & other
landes holden
of others in
Socage.

The Queene &
other lordes
third part sa-
ued.

mount to the cleere peerely value of $\frac{1}{3}$ third part of the said landes &c. so holden of her by Knights seruice, without any diminution, dower, fraude, couyn, charge, or subtraction of any portion of that iii. parte, or of $\frac{1}{3}$ full profits thereof. And also sauing to the Lordes of whom any of the sayde landes &c. be holden by Knightes seruice, for custodie, and wardshippe, as much of the same landes &c. holden of them or any of them by Knights seruice, as shal amount to the cleere perely value of the third parte of the same without any Diminution, Charge, co- uine, or subtraction of any portion of that thirde part, or of the cleare peerely value of the third part thereof, in maner and forme aforesayde 32. Hen. 8. 1.

The Queene
or other lordes
may take so
much as will
make up their
full third part.

7 ¶ If that third part of the landes &c. which in any of the cases abouesaid, shall come to the Queene, her heires &c. by vertue of this act, be not, or do not amount to the cleere perely value of the full third part of the said landes &c. whereof the Queene shalbe intituled to haue the custodie or primer seisin, as is abouesaide: Then our saide Soue- raigne Lady and her heires, shall and may at her or their free libertie, take into her or their possession, as much of the other two parts of the saide landes &c. as with that of the same landes &c. remaining in her handes, shall make up the cleere perely value of the full thirde part of the saide landes &c. so to be had to the Queene in title of wardshippe and primer seisin or any of them as the case shall require. And like benefite shalbe giuen to euery Lord, of whom any such landes &c. shall be holden by Knights seruice, concerning onely this third part, of or for title of wardshippe. 32. H. 8. 1.

Suing of lites
rpe.

Fines for alie-
nations vpon
common reco-
ueries.

8 ¶ Euery person or persons shall sue their liueries for posselli- ons, reuerfions, and remainders, and also pay reliefes, and heriots af- ter such maner and forme, as they should or ought to haue done befoze the making of this Act. And fines for alienations shall be payed in the Queenes Chauncery, for and vpon writs of Entrie in the Post to be obtained in the same Court for common recoueries to bee had or suffe- red of any landes &c. holden of the Q. in chiefe, in like maner and forme as is vled vpon Alienations of such Landes &c. so holden in chiefe by fine or feoffment. But in such cases where fines for alienations shall be payed in the Chauncery for writtes of Entree in the Post, as is a- foresaid, then none other fine shall be payed in the same Court for any such writtes. 32. H. 8. 1.

The womans
title of dower
in the ii. parts
saued.

9 ¶ Sauing to all and euery woman and women, all and euerie such right, title, and interest of dower, as they or any of them ought or shall be iustly intituled to haue, claime, or demaunde of any Ma- noys, Landes, Tenementes, or Hereditamentes, by the Lawes of this Realme,

Realme, to be assigned to them or any of them out of the two partes of the said lands &c. severed from the third part, as is abovesaid, and not otherwise. And saving also to the Q. her heires & successors, the reuerfions of all such tenants in dower & iointure, immediatly after the death of such tenants, if they shal happē to die during y^e minoritye of the Queens ward. 32.H.8.1. For the case of iointure. S. Wardes 25.

The reuerfion
laied to the Q.
after tenant in
dowers death.

10 ¶ Where it is contained in the same statute of 32.H.8. within diuers branches of the same, that all and singular person or persons, hauing any manors, landes, tenements, or hereditaments, of estate of inheritance, should haue free libertie to giue, will, dispose, or assigne as well by his last will and testament in w^{riting}, or otherwise, by any act or acts lawfully executed in his life, his manors, landes, tenements, or hereditaments, or any of them, in such maner, as in the same act it doeth appeare, which words of estate of inheritance by the aucthority of this Parliament, are and shalbe expounded, taken, and iudged of estates in fee simple onely. 34.H.8.5.

The exposition
of the foresaide
stat. of 32.H.8.

The stat. extē-
deth only to fee
simple lands.

11 ¶ All and singular person and persons, hauing a sole estate or interest in fee simple, or seised in fee simple in coparcenary, or in common in fee simple, of and in any manors, landes, tenements, rents, or other hereditaments, in possession, reuerfion, or remainder, or of rents or seruices, incident to any reuerfion or remainder, and hauing no manors, landes, tenements, or hereditaments holden of the Q. &c. or of any other person or persons by knights seruice, shall haue free libertie and power, to giue, will, dispose, or deuise, to any person or persons (except bodiees politike and corporate) by his last will and testament in w^{riting} or otherwise, by any Act or Acts lawfully executed in his life, by him selfe solely, or by him selfe and other ioyntly, seuerally, or particularly, or by all those wayes or any of them, as much as in him of right is or shall be, all his sayd landes &c. or any of them, or any rents, commons, or other commodities out of, or to be perceiued of the same, or out of any parcell thereof at his owne pleasure. 34.H.8.5.

Sole tenant,
tenant in com-
mon & copar-
cenary, in fee
of landes in
possession, in
reuerfion, re-
mainder.

Deuising of rēt
or common
out of land.

12 ¶ Every person hauing a sole estate or interest in fee simple, or seised in fee simple in coparcenary, or in common in fee simple, of, or in any manors, landes, tenements, rents, or other hereditaments, in possession, reuerfion, or remainder, or of and in any rents or seruices, incident to any reuerfion, or remainder, holden of the Queene by knights seruice in chiefe, or of the nature of knights seruice in chiefe shall haue full power and aucthority to giue, dispose, will, or assigne to any person or persons (except bodiees politike and corporate) by his last will and testament in w^{riting}, or otherwise, by any act or acts

Certaine landes
holden of the
Q. by knights
seruice in ca-
pite, and other
of other pera-
sons.

lawfully executed in his life, by himselfe solely, or by himselfe and o-
ther ioyntly, seuerally, or particularly, or by all those wayes or any of
them as much as in him of right is or shalbe, two parts as well of the
sayd lands &c. as of all and singular his other rents & hereditaments,
or of any of them, or any rents, commons, or other commodities out
of, or to be perceiued of the same two parts, or out of any parcel thereof
in thre parts to be deuided, or as much thereof as shal amount to y^e ful
and clere perely value of ii. parts thereof in iii. parts to be deuided, of
what person or persons soeuer they be holden at his pleasure. And the
sayd wil so declared shalbe good and effectuell for two parts of y^e sayd
lands &c. although the will be made of the whole, or of more then of it,
parts of the same. The same deuision to be made and set forth by the
deuisor or owner of the same lands &c. by his last wil in wryting, or o-
therwise in wryting, & in default thereof by a Commission to be gran-
ted out of the Q. Court of wards and liueries, vpon the inquirie of the
true value thereof, by the othes of xii. men, & retorne or certificate ther-
of had in the same court of the sayd lands &c. deuision to be made by
the Master of the Wards and liueries, if the sayd Master and the
parties thereunto cannot otherwise agree vpon the same deuision. And
the issues and profits of the two parts of the same lands &c. vpon eue-
ry such deuision to be restored to them that shall haue right or title to
the same, from the death of the owner or deuisor thereof. 34. H. 8. 5.

A wil good for
ii. parts though
it be made for
the whole.

Deuision of the
lands where
the Q. is intis-
ruled to a third
part.

Certain lands
holden of the
Q. or others
by knightes
seruice & cer-
tain in socage.

13 ¶ Every person hauing a sole estate or interest in fee simple, or
seised in fee simple in coparcenary, or in common in fee simple of and
in any manors, lands, tenements, rents, or other hereditaments, in pos-
session, reuerfion or remaynder, or of and in any rents or seruices inci-
dent to any reuerfion or remaynder, holden of the Q. &c. by knightes
seruice and not in chiefe, or holden of any other person or persons by
knightes seruice, shall haue full power to giue, dispose, will or deuise,
to any person or persons (except bodiees politike and corporate) by his
last wil & testament in wryting or otherwise, by any act or acts lawfu-
ly executed in his life by himselfe solely, or by himselfe & other ioyntly,
seuerally, or particularly, or by all those wayes or any of them, as
much as in him of right is or shalbe two parts of all the said lands &c.
or any of them so holden by knightes seruice, or any rentes common
or other profits out of, or to be perceiued of the same two partes or
out of any parcel thereof, in thre parts to be deuided, or as much there-
of as shal amount to the ful & cleare perely value of two parts thereof
in iii. parts to be deuided at his pleasure. And the said will so declared
shalbe good for two partes of the sayd lands &c. although the same be
made of the whole lands &c. so holden by knightes seruice, or of more
then

A will made
of the whole
shalbe good for
two parts.

then of ii. parts of the same, & also for y^e whole of all other such lands &c. or any of them, not holden of the Q. by knyght service in chiefe, or otherwise by knightes service, nor of any other person by knightes service, and of any rents, commons, or other commodities out of, or to be perceiued of the same, or out of any parcell thereof at his free will: The same diuision to be made and set forth by the owner of the sayde lands &c. by his last wil in wryting, or otherwise in wryting, and in default thereof, forasmuch of the same landes &c. as shall concerne the Q. interest, by commission to be directed out of the Queenes court of wards and limeries if the master of the Wardes &c. and the parties thereunto cannot otherwise agree vpon the same diuision. And restitution of the issues and profits of the two partes thereof shalbe made in maner and forme abouesaid. And for such of the same lands &c. as shal concerne the interest of any other Lord or Lordes by commission to be graunted out of the Chauncerie, to enquire thereof by the othes of xii. men, if the same lord or lordes, and the partie thereunto cannot otherwise agree vpon the same diuision. 34. H. 8. 5.

14 ¶ The sauinges, reseruings, and prouisions cōcerning sauing of the custodie, wardship, reliefe, and primer seisin to the Queene of such lands &c. or asmuch thereof as shall appertayne vnto her by vertue of these two actes, during the Queenes interest therein: And also of the custodie and wardshippe to other Lordes of asmuch of such landes &c. holden of them as shall amount to the cleare perely value of the thirde part thereof aboue all charges, wythout any dyminution &c. comprised in diuers articles in the sayd former act of 32. H. 8. cōtayne, bee and shall be expounded, and taken as hereafter ensueth, bz. The Queene shall haue and take for her full thirde part of all such landes &c. whereunto she is or shall be intituled by the sayd former acte, and by this act, such landes &c. as shall by any meanes descend, or come by discent, as well of estate of inheritance, in fee taylor, as in fee simple, or in fee taylor onely, to the heire of any such person that shall make any will, gift, disposition, or deuise by hys last will in wryting or by any act or actes lawfully executed in hys life, immediately after the death of the same deuisor or owner thereof, And the will, gift, & deuise of euery such deuisor or owner, of & for y^e two partes of the said landes &c. residue, shalbe and stand good in the lawe, abeit the same be had & made of all his fee simple landes &c. or of the moze part thereof. And in case the same landes &c. which after the death of any such owner or deuisor that shall make any such gift, disposition, or deuise by his last will in wryting, or otherwise by any act or actes lawfully executed in his life, to his wife, children, or otherwise as is a-

An exposition of the sauinges, reseruings, & prouisions made in these ii. acts.

As remedie for the Q. or other Lordes, where a full thirde part is not left them.

foresayd,

foresayd, which shall immediatly after his death descend, reuert, remaine or come to his heire or heires, as well of estate of inheritance in fee taile, as of estate in fee simple or fee taile onely, bee not, nor shall not amount to the full cleare peerely value of the full thirde part, with the full profits thereof, of all the sayd landes &c. of the said deuisor or owner according to the true intent of the sayd former act, and of this act: Then the Queene shall or may haue and take into her hands to make by her full thirde part with the full profits thereof according to her interest therein, as much of the other landes &c. willed, giuen, disposed, or assigned by any such person to his wife, children, or otherwise as is aforesayd, as with such of the same landes &c. descended, or by any meanes come vnto the heire (as heire of any such deuisor or owner) shall make by the cleare peerely value of the sayd full thirde part, with the full profits thereof of all the sayd landes &c. of euery such owner or deuisor so to be had to y^e Queene in title of wardship or primer seisin as the case shall require. And the diuision thereof to be had and made and with the restitution of the profits of the two parts of the sayd landes &c. in such maner and forme as is aboue rehearsed. And like benefit shalbe giuen, had, and taken to euery lord of whom any such landes &c. be or shalbe holden by knights seruice in maner and forme abouesaid, concerning onely his thirde part thereof according to his interest therein. 34. H. 8. 5.

A remedy for
the Queene or
other lord if
their thirde
part be euicted

15 ¶ If it happen the same thirde part, or any part thereof left, willed, or assigned to the Q. or other Lord, at any time during their interest therein to bee lawfully euicted or determined: Then the Q. and the other Lord shal haue as much of the two parts residue, as shal make by a full thirde part in cleare peerely value, after the rate and portion of such landes &c. as shall then remaine of the same thirde part not euicted or determined, and of the other ii. parts of such landes &c. as the Q. or other lord should or ought to haue had by vertue of the sayd former act, and this act, and the same to be deuided in forme aboue rehearsed. An. 34. H. 8. 5.

16 ¶ The saving and reseruing for fines for alienation by any such last will and testament of such Landes &c. holden of the Queene by knights seruice in chiefe, or of y^e nature of knights seruice in chiefe, or by socage in chiefe, or of the nature of Socage tenure in chiefe, or for fines for Alienations of such landes &c. whereof there shall be any alteration of free holde, or of inheritance made by any such last will comprised in sundry articles mencioned in the sayde former act, be and shall be intended and iudged, that all such person or persons to whom the sayd landes &c. or any of them be, or shall be giuen or deuysed by any

ny such last will, shall be exonerated and discharged for ever against the Queene her heires and successours for all such fines for alienations, by any such last will or testament, without licence, by suing forth of the Queenes pardon for alienation out of the Chauncery, paying to the Queene, her heires or successours for the fine of every such alienation, the thirde part of the perely value of the same manors, landes, tenements, or other hereditaments to him or them willed or devised. And this act shall be a sufficient warrant to the Lorde Chauncelour or Keeper of the great seale for the time being for the graunting out of the sayd pardons vnder the great Seale &c. Anno tricesimo quarto H. 8. 5.

A pardon of alienation must be sued by those to whom lands holden in Capite, devised.

17 **W**illes or testaments made of any manors, landes, tenements, or other hereditaments, by any woman couert, or person within the age of one and twentie peeres, Ideot, or by any person de non sana memoria, shall not be taken to bee good or effectuall in the lawe. 34 H. 8. 5.

Woman couert
Infants.
Ideots.
Lunatickes.

18 **A**ll and euery person and persons from whom the Queene or other Lorde or Lordes shall take any landes &c. for her or their full thirde part, or to make vp her or their full thirde part, shall or may vpon his or their bill exhibited in the Chauncery against al & euery such person and persons which shalbe intituled by or vnder any such will, gift, disposition, or devise, to the other ii. parts, haue such contribution, or recompence for the same, as by the Chauncelour of England, or by the keeper of the great seale for the time being, shalbe thought good. 34. H. 8. 5.

Contribution for any lands take away by the Q. or other lords.

19 **B**ut this act and explanation doth not extend to the will or devise of Sir John Gaynford, Sir Peter Filpot, Richard Creswel, or of Thomas Unton, or shalbe hurtfull to any persons concerning any landes, hereditaments &c. contained and specified in any of the said willes or devises, but the said willes and euery of thcm, shall remaine in the same effect to all intents as they were before. 34. H. 8. 5.

20 **A**ll widowes may bequeth the crophe of their groundes as well of their dowers, as of other their landes and tenements: Sauing to the Lords of the fee, all such seruices as be due for their dowers and other tenements. Merton. 20. H. 3. 2.

Widowes may bequeth their crophe.

21 **I**n case any Incumbent happen to die, and before his death hath caused any of hys Glebe landes to bee manured and sowed at his proper costes with any Corne, then euery such Incumbent may make his Testament of all profits of the Corne growing vpon the same glebe landes so manured and sowed. 28. H. 8. 11. S. Ecclesiastical. 30.

Incumbent may bequeth the crophe of his glebe.

1 For the prouing of willes, committing of administration, the ordinary and his ministers fees, and dueties therefore. S. Probate of testaments.

2 Fraudulent wils to defeate the lord of wardship or other aduantages. S. Wardes. 24.

¶ Wines.

Prices of
wines shalbe
assessed by the
chiefe maiors
of cities.

The Lord Chauncelor, Lord Treasurer, Lord President of the Queenes counsel, Lord Priuy Seale, and y two chiefe Iustices of eyther Bench, or five, fower, or thre of them haue authoritie by their discretions to set y prices of al kind of wines, v3. of the prices of the But, Tunne, pipe, hogshed, poncheon, tierce, barrel or rundlet, when it shalbe solde in grosse, so that they or any of them cause y prices by them set to be written, and open Proclamation thereof to bee made in the Chauncerie openly in the terme time, or els in the city, borough, or towne where any such wines shall be solde in grosse. 28. H. 8. 14. And by the statute of 37. H. 8. 23. the said persons shal perely set the prices of al kind of wine, mencioned in the foresaid act, betwene the xx. day of Nouember, and the last of December, and at no other time. S. 5. Ed. 6. 17. and the said statute of 37. H. 8. and Quære if this last part of the bzaunch remaine in force.

Quære.

The for. of the
which sell
wines in
grosse contrary
to the prices
assessed.

2 **I**f any person after such prices be set & put in writing by the sayde Lordes or by vii. or iii. of them, and proclamation thereof had (as aforesayd) do sell any wines in grosse, by any couin, contrary to the said prices so set and proclaimed, then he shall forfayt for euery vessell by him sold in grosse contrary to the sayd prices xl. s. the one halfe to the Q. and the other halfe thereof (if it be in any citie, borough, or towne corporate) to be to the Maiors, Sherifes, Baylifes or other head rulers thereof, and if it bee without citie &c. then to bee to the Queene & J. &c. to be recovered by A. J. &c. wherein no W. C. P. &c. 28. H. 8. 14.

Denying to sel
wines at the
prices assessed.

3 **E**uery merchant and other person which shall haue wynges to be sold, and refusing to sell or deliuer, or not selling any of the same wines for readie money therefore to bee payed according to the price thereof then being set, shall forfayt the value of the wine so required to be bought, to the Q. & J. to be recovered by A. J. &c. wherein no W. C. P. &c. 24. H. 8. 6.

Where Iustis
ces of peace or
other officers
may sel other
mens wines

4 **I**t shalbe lawful to al and singuler Iustices of peace, Maiors and other head officers, in shires, cities, boroughs, and townes, and in other places of this realme within the precincts of their offices, at the request of any of the Queenes subiects to whom any denier of sale, or from

from whom any restraint of sale of any such wines shall be made, and full payment thereof without delay offered to be made according to the prices then set by the foresayd lords and Justices &c. to enter into the houses, sellers, and other places where such wines shall lye, and to sel and to deliuer the same desired to be bought, to y person requiring to buy the same, taking of the buer thereof to the vse of satisfaction of the forfaiture aforesayd, after the rate of the prices thereof set, as is aforesaid. 24. H. 8. 6. S. 37. H. 8. 23. somewhat the like matter, & Quære if it remaine in force. 5. Ed. 6. 17.

5 **I**f at the time of any such sale of wine purposed to be made, the marchant vintner, or other owner thereof, doe truely shewe to the sayd Justice or head officer purposing to make the sayd sale, what and how much wine he then shall haue, and depose vpon his bodilie othe, to be made and giuen by the discretion of the same Justice or head officer, that hee keepeth the same wyne, to the intent onely to drawe and expende the same in his house by retayle, or otherwise, and not to sell any of them in grosse: Then the same merchant, or owner shall keepe the same wines without any sale, and without any forfaiture for refusall or restraint of sale thereof. And in case that after such othe the same owner do sell the same wyne, or any of them in grosse. v. by the Tunne, Butte, Terce, pipe, hogshed, barrell or rundlet, he shal forfe. the double value of al such wines so sold in grosse, to the D. and J. to be rec. by A. J. &c. wherein no W. E. P. &c. 24. H. 8. 6.

He y keepeth wine to spend in his house, or to retayle, shall not be forced to sell it.

6 **N**o person inhabiting within any of the Queenes dominyons of England or Wales, shall utter by retayle by small measure, v. by gallon, or any other measure of greater or lesse quantitie, any Gascoine, Guyon, or French wines, but after the rate of eight pence the gallon, nor any Rochel wines at greater prices then after the rate of iiii. d. the gallon, nor any other wine at greater price then after the rate of xii. d. the gallon at the most, vpon payne that euery person doing the contrary, shal forfe. for euery such offence v. li. to the D. & J. to be rec. by A. J. &c. wherein no W. E. P. &c. 7. Ed. 6. 5. But all and euery person & persons which be or shall be by the lawes & statutes of this realme, or otherwise authorisid to sell wines by retayle, in the seuerall countiees & places where they be, or shall be so authorisid, shall and may sel the said wines by pint, quart, pottel, gallō, or otherwise, at such price or prices & in such forme as shall be limited by y Queenes proclamation in that countie or place, made w the assent of such lords & other persons as by the foresaid statute of 28. H. 8. where authorisid to set price vpon wines in grosse, wout any payne or forfe. for the same, any

The prices of wines by small measure.

Prices of wines assented by the Queenes proclamation.

any law &c. notwithstanding. 5. El. 5. 27. El. 11. to continue to the next Parliament now next ensuing.

Who may
keepe vessels
of wine in
their houses to
spend.

7 **I**t shal not be lawfull to any person, win any of the Queenes dominions aforesaid, except he shal and may dispend in lands or other perely profits certaine, the summe of C. marks, or els be worth of his owne proper goods, & cattels D. marks, or shalbe y^e s^{on}e of a Duke, Marques, Earle, vicont, or Baron of this Realme, to haue or keepe in his house or custody any vessel of any of the said wines of Gascoin, Guyon, French, or Rochel wines, containing aboue x. gallons, to the intent to spend the same in his house, by any colour or meanes, vpon paine to forf. for euery such offence. x. li. to the Q. & J. to be rec. by A. J. &c. wherein no W. C. P. &c. 7. Ed. 6. 5.

None shal res-
taile wines
but in market
townes &c.

8 **I**t shall not be lawfull to any person within any of the sayd dominions to keepe any Tauerne, or to sell or vtter by retayle by the gallon, or lesse or greater measure, in any place, any of the sayd wyne within any of the sayd dominions, except it be in cities, townes corporat, boroughs, port townes or market townes, or in the townes of Grauesend, Sittingborne, Tuxford, and Baggeshot, vpon paine that euery person that shal so offend, shal forf. for euery day so offending x. li. to the Q. & J. to be recouered by A. J. &c. wherein no W. C. P. &c. 7. Ed. 6. 5.

Wintners in
corporate
townes assign-
ed by the
head officers.

9 **I**t shall not bee lawfull to any person or persons to keepe a-
nye Tauerne, or sell or vtter by retaile by the gallon, or lesse or grea-
ter measure, in any citie, borough or towne corporate, any manner
of wynes, but onely such person and persons as shall bee thereunto
nominated and assigned by the head officers and the most part of the
common counsell, Aldermen, Burgesses, Jurats, or comminaltie of
such citie, borough &c. where such person or persons shall Tauerne,
sell, or vtter wine by retaile, as is aforesaid: the sayd nomination and
assignement to bee made by wryting vnder the common seale of such
city, borough &c. and shal continue in their force, or be changed, at the
election & pleasure of the head officer or officers, and the most part of
the common counsaile, Aldermen, Burgesses, Jurats, or comminalty
for the time, being of such citie & borough &c. by wryting, & vnder such
common seale, as is aforesaid. Nor it shalbe lawfull to any person or
persons to keepe any tauerne or to sell or vtter any wine by retayle as
is aforesayd, in any city, borough, port towne, or market towne not
corporate win England or Wales, or in the said townes of Grauesend,
Sittingburne, or Baggeshot, but onely such person or persons as there-
unto shalbe nominated and appointed, by all or y^e most part of y^e Just-
ices of peace of such county where such tauerne or selling of wyne by
retaile

Wintners in
townes not
corporate as-
signed by Jus-
tices of peace.

retaille shalbe allowed, as shabe present at the generall sessions for the time being, holden within euery of the sayd counties, the said appointment to bee had and made in full session, by writing vnder the seuerall seale of euery of the sayd Iustices, and to be continued, altered, or changed in like forme and by like authoritie, as is last aforesayd, vpon paine that euery person that shall sell or retaille any wine being not thereunto licensed, and authorisid as is aforesayd, shal forf. for euery day þ he shall so offend v. li. to the D. & J. to be rec. by A. J. wherein no W. E. P. & c. 7. Ed. 6. 5.

10 ¶ No person or persons hauing authoritie by this act to nominate or assigne, what persons shall tauerne, vtter, or sell wyne by retayle, as is aforesayde, shall appoint by his or their writing any greater number of tauernes or wyne sellers then two, by retayle to sell or vtter wyne, or keepe or continue any tauerne at any tyme in any one Citie, Borough, Towne corporate, port towne, or market towne, or in Grauesend, Sittingborne, or Bagshot (all and euery such citie and towne hereafter expressly named, onely except,) And it shall not bee lawfull to appoynt by writing in the citie of London to sell or vtter wine by retayle, at any time, aboue the number of fourty Tauernes or wyne sellers, and in Dorke eyght, in Norwich iiii. in Westminster iii. in Bristow vi. in Lincolne iii. in Kingston vpon Hull iiii. in Shrewesbury iii. in Excester iiii. in Salesbury iiii. in Gloucester iiii. in Westchester iiii. in Hereford east iii. in Worcester thre, in Southampton iii. in Canterburie iiii. in Ipswich iii. in Winchester iii. in Dreford iii. in Cambridge iiii. in Colchester iii. in Newcastle vpon Tyne iiii. tauernes or wine sellers, vpon paine that euery persō authorisid by this act to assigne tauernes or wine sellers to forf. for euery nomination, or appointment by him made contrarie to þ forme of this act v. li. to the D. & J. to be recouered by A. J. & c. wherein no W. E. P. & c. 7. Ed. 6. 5.

How many tauernes may be appointed in euery city or towne.

11 ¶ No person shal sell or vtter by retaille any kind of wine to be drunke or spent in his mansion house, or other place in his tenure or occupation by any colour, craft, or meane, vpon paine to forfayt for euery such offence x. li. to the D. & J. & c. to be rec. by A. J. & c. wherein no W. E. P. & c. 7. Ed. 6. 5.

No man shal retaille wine to be spent in his house.

12 ¶ But it shalbe lawfull to euery Marchant aduenturing for þ same at his owne costs, to keepe to spend in his own house such wine or wines, as hee shall transport or cause to be transported into thys realme, or any part thereof, not taking any money or other recompēce for þ same, þ shalbe so spent in his house: And it shalbe lawfull to euerie high sherife of euery county, Maior, bailife, & sherife of euery citie, & towne

These may keepe & spend wine in their houses.

to wne corporat during his or their office of charge, and to euery other person dwelling in any of the Queenes forts, or townes fortified, and kept for the warres during his dwelling in any such fort or towne of warre, to haue wine in his house by the vessel, to spend the same in his house, without taking any money or other recompence for the same so spent in his house or other place in his occupation. 7. Ed. 6. 5.

Within what
time the for.
shalbe taken.

13 This act shal not extend to charge any person with any penaltie or forfeiture concerning any offence to be done contrary to the tenour thereof, vnlesse the offender be sued, indicted, or presented for the same, within one yeere next after the same offence committed. 7. Ed. 6. 5.

The liberties
of Cambridge
and Oxford
referred.

14 This act shall not be prejudiciall to any of the Uniuersities of Oxeford and Cambridge, or to the Chauncellour or schollers of the same, or their successors or any of them, to impaire or take away any of the priuiledges, franchises, or authorities to them, or any of them belonging, but they and euery of the, and their successors, may haue, vse, and inioy all their priuiledges, franchises, &c. so that there bee not any greater number of Tauerne kept within any of the said townes of Oxeford or Cambridge, then may be lawfully kept by the prouision of this stat. 7. Ed. 6. 5.

Wines shalbe
assayed, & the
corrupt pow-
red out.

15 Assay shall bee made of wyne twice euery yeere, once at Easter, and another time at Michelmass, and more often if neede bee, by the Lords of the townes and their bailifes, and also by the Maior & bailifes of the same townes, and al wines that shalbe found corrupt, shalbe powred out, and the vessels broken, & the Chauncelloz & Treasorier, Iustices of the one Bench and the other, and Iustices of assyse, haue power to enquire of the Maiors and ministers of townes, if they do not according to this statute, and besides that to punish them, as reason shall require. 4. Ed. 3. 12.

The contents
of eche vessel
of wine.

16 No merchant, nor other person, shall bring or cause to bee brought into this Realme, any But of Dalmesey to bee solde, vnlesse it doe containe in measure at the least 126. Gallons. Nor no manner of vessels, with any maner of wines whose soeuer they bee, or of what Countrey soeuer they bee, nor no manner of vessels of oyle, vnlesse the same vessels of wyne or oyle doe contayne the measure and assise following, v3, euery Tunne to contayne 252. gallons, euery Pyper 126. gallons, euery Tertian, or Punction 84. gallons, and euery Hoggeshed 63. gallons, and euery Tierce 41. gallons, and euery Barrell 31. gallons and demye, and euery Rundlet to contayne 16. gallons and vi. And the vessels of wine and oyle brought into this realme to be solde, shall not be put to sale

All vessels of
wine and oyle
shalbe ganged.

untill

untill they bee well and truly gauged by the Queenes Gaugeour,
or his sufficient deputie, vpon paine to forfait to the Queene all the
sayd wines and oyle sold contrary to this ordinance, or the value of y^e
same. 18.H.6.17.1.R.3.13.28.H.8.14. Every Tunne, Pype, Ter-
cian, and other vessel aforesaid, of honye, shall containe the quantitie a-
foresaid, and be gauged, in maner and forme aboue expressed, vpon the
paine aboue limited. And every Gaugeour shall haue for his labour
for the gauging of every Tunne & Pype of oyle and hony, as hee ta-
keth for every tunne & pipe of wine, and for every Tercian and Hog-
head after y^e rate. 18.H.6.17.S.Hony.1. This ass. somewhat altered.

The contents
of a vessell of
hony.

17 ¶ Every Gaugeour within this realme, shall truly & effectu-
ally within the limits of his office, gauge all the said Tunnes, Buts,
Pipes, Terces, Hunchions, Tercians, Barrels, Hogheads, & Rund-
lets, and shall plainly and truly marke vpon the head of every such
vessel the content of the same, vpon paine to forfeit to the party, to whose
use the wine, oyle, or other thing therein being shall bee sold 4. times
the value of that which the vessel so marked shall lacke of his lawfull
content abouesaid: The same forfeiture to bee recovered ouer and a-
boue the costs of the suit, by the Queenes original writ, or by bill, in
any of the Queenes courts of her common lawes, or in any compe-
tent court, hauing iurisdiction in the place where that offence shall bee
committed, by A. or B. of debt, wherein no W. C. P. &c. And every
person selling the said wine, oyle, or other thing contained in the said
vessel marked, shall allow of the price thereof to the buyer of the same
for every quantity of wine, oyle, or other thing contained in the saide
marked vessel, the full value of the lacke thereof being by reason of de-
fault of full gauge of the vessel marked, or of default of filling of the
same vessel after the rate of the whole price of the wine, oyle, or other
thing, so being sold by the vessel marked, vpon paine of forfeit to y^e same
buyer, the double value of the same vessel and wine, oyle, or other
thing therein being so solde, the same forfeit. to bee recovered together
with the costes of the suit in forme aforesaide. 28.H.8.14.1.R.3.13.
18.H.6.17.

The Gauge-
our forfeit. if the
vessel lack his
content.

How he shall be
recompensed,
which lacketh
his measure of
wine or oyle.

1 That Marchants Alyens shall cary no wine out of the Realme,
but shall sell them here in grosse, and in none other maner. S. Mar-
chants 1.

2 In what vessels any French wyne may bee brought into this
Realme. S. Shippes. 4. 5.

3 What Custome or Subsidie shall bee payed for sweete wyne
brought in. S. Custome. 3.

A witness by
proces served
upon him, and
his charges
tendered, shall
appear.

If any person upon whom any proces out of any of the Courtes of Recorde, within this Realme of Wales, shal bee served to testify or depose, concerning any matter depending in any of the same Courts, and hauing tendred to him according to his countenance or calling, such reasonable summes of money, for his costes & charges, as (hauing regard to the distance of the place) is necessary to bee allowed in that behalfe, do not appeare according to the tenor of the said proces, hauing not a lawfull and reasonable let to the contrary: Then the party making default, shall for. for enery such offence x.li. & shall yeeld such further recompence to the party griued, as by the discretion of the Judge of the court, out of the which the saide proces shalbe awarded, according to the losse and hinderance of the party which procured the said proces shall sustaine, by reason of the non apparance of the said witness: the said seuerall summes to be recouered by the party so griued, against the offender by A. J. &c. in any of the Queenes courtes of Recorde, wherein no W. E. P. &c. 5. El. 9. 14. El. 11. 27. El. 11. to continue vntill the end of the next Parliament, nowe next ensuing.

Proces against
the witnesses
of a deed de-
nied.

2 When a deede, release, acquittance, or other wryting is denied in the Queenes court, wherein witnesses be named, proces shalbe awarded to cause such witnesses to appeare, so that if none of them come in at the great distres returned, or if it bee returned, & they haue nothing, or that they cannot be founde, yet the taking of the enquest shall not be deferred by the absence of such witnesses. And if the witnesses do come in at the great distres, and the enquest for some cause remaine vntaken, the witnesses that come in shal haue like day giuen them, as is assigned for the taking of the enquest, at which day, if the witnesses do not appeare, the issues that were first returned upon the shal be forfeited, and the taking of the enquest shal not be deferred because of their absence. And for absence of witnesses dwelling within fraunchises where the Queenes writ original doth not lie, the taking of an enquest shal not be deferred. 12. E. 2. 2.

1 For the triall of a deede where the witnesses be of a Countie where the Queenes writ runneth not, S. Trial, 9.

2 In what sort he shalbe punished, which procureth any witness to commit wilfull periurie, or being a witness doeth commit wilfull periurie, S. Periurie, 1. 2.

There shalbe
12. standills left
in an acre of
wood at the
felling thereof.

Woodes.

In and vpon all and singuler seuerall woodes, commonly called Coppies woods, or vnderwoods, which shalbe felled at xiiii. peres growing

growing or vnder, there shalbe left standing & vnfelled for euery acre of wood, that shalbe felled within y^e saide copies xii. standils, or stozers of Oke, & if there be not so many standils of Oke, then there shall bee left so many of other kind, v^z. of Elme, Ashe, Aspe, or Beech, as shall make vp the said number of xii. likely to be timber trees, the same to be of such standils as haue bene left there standing at any felling of y^e same wood &c. in time past. And in case there be no such stozers there standing which were there left at the last felling of the same woodes: Then the same standils shalbe left at the next felling of y^e saide woodes &c. of such most likeliest Okes, & if there bee not sufficient of Okes, then of the most likeliest Elmes, Ashe, Aspe, or Beeche, to proue timber trees, as shall growe within any such seuerall woodes, coppies or vnderwoodes. And the same standils so left, shalbe preserved and not felled til euery of them shalbe of x. ynches square, within iii. foote of y^e ground, vpon paine that euery owner of euery such standils, hauing an estate of inheritance, or for terme of life, of freeholde, or by copie of Court rol, or for yeeres in that ground where the same standils shall grow, causing any such woodes to bee felled, & not leauing the said stozers there standing in forme aforesaid, to forfeit for euery standill so not left standing in the said woodes &c. iii. s. iii. d. and vpon paine that euery owner, as is aforesaid of any such woodes &c. causing any of the said standils so left, to be cut downe contrary to the forme of this act, to forfeit for euery of the said standils which shall bee cut downe, iii. s. iii. d. to the D. & J. to be recovered by A. J. &c. wherein no W. E. P. &c. 35. H. 8. 17. 13. El. 25.

How long the
standils left,
shal remaine
vnfelled.

2. All and singuler coppies & vnderwoodes which shalbe felled at xiiii. yeeres growth or vnder, & not being aboue the saide age from and after the xx. day of Aprill, next after the felling thereof, during the terme of vi. yeeres then next ensuing, shalbe sufficiently inclosed, or the springs thereof otherwise saued from destruction by any maner of cattell, by him which then shall haue lawfull interest and possession in the said woodes &c. vpon paine of euery person so bounden to inclose, or preserve the said woodes, to forfeit for euery rodde thereof so not inclosed or preserved during the said vi. yeeres iii. s. iii. d. for euery moneth that the same woodes shalbe vncloused, or not so preserved &c. 35. H. 8. 17. 13. El. 25.

Woods felled
at or vnder
xiiii. yeeres
growth shalbe
preserved vi.
yeeres.

3. All and singuler coppies or vnderwoodes, which shall be felled, being aboue the age of xiiii. yeeres growth, and not aboue the age of xxiiii. yeeres growth, from the xx. day of Aprill, next after the felling thereof, during the terme of viii. yeeres next ensuing the same xx. day of Aprill, shalbe sufficiently inclosed, or the springs thereof

Woods felled
aboue xiiii.
yeeres growth
& vnder xxiiii.
shalbe preser-
ued viii. yeeres.

otherwise preserved from destruction by any manner of cattell, by such which then shall haue lawfull interest & possession in the said woodes &c. vpon paine of euery person so bounde to inclose or preserve the sayde woodes, to forfait for euery Rode so not inclosed or preserved during the said 8. yeeres iii. s. iiii. d. for euery Moneth that the same woodes shalbe vnclosed and not preserved, as is aforesaid. 35. H. 8. 17. 13. El. 25.

No woods
shall be con-
uerted into til-
lage or pasture

4 ¶ No person shal conuert into pasture or tillage, any such coppies or vnderwoodes, containing in quantity ii. acres or aboue, which now, viz. (14. die Januarii. Anno Do. 1543. & 35. H. 8.) bee woodes or vnderwoodes, and put or reserued to the vse or increase of wood, or vnderwood, and being two furlong distant from the house of the owner thereof, or from the house wherunto the said wood doth lie or belong, vpon paine to forfait. for euery acre of wood so to be conuerted fro wood into pasture or tillage xl. s. But this act shal not extēd to any coppies woodes, or vnderwoodes destroyed or turned into tillage or pasture wⁱⁿ in xx. yeeres last past, (viz. before 14. die Ianuarie, An. Dom. 1543.) although the more part or any part thereof be ouergrown with bushes or vnderwoodes. 35. H. 8. 17. 13. El. 25.

At the felling
of wood aboue
xiii. yeeres
growth there
shalbe xii. trees
left in an acre.

5 ¶ Euery person, body politike and corporate, hauing any seuerall woodes or coppies growing & set with great trees, being aboue y^e age of xiiii. yeeres growth, shal at the felling or weeding therof leaue standing within the precinct of the sayd wood and coppies for euery acre so felled xii. trees of Oke of the same great trees, if there bee so many trees of Oke there to bee left, and for lacke of Okes, then to leaue for euery acre so felled, as many other trees of Elme, Ashe, Beeche, or Aspe, as shal make the full number of xii. of such as shal be there the growing, the same trees there so left to stand, & to be preserved by such owner during xx. yeeres, next after such felling of the same woodes. And also shal from the xx. day of April next after the felling therof, during y^e terme of ix. yeeres the next following, sufficiently inclose them, or the springs therof otherwise saue from destruction by any manner of cattel, vpon paine y^e euery such person being owner of the said great woodes, to forfait. for euery such great trees of the sayde nūber lacking, & not left standing vi. s. viii. d. And vpon paine y^e euery owner of the ground wherupon such great trees shalbe left standing, causing, or cōmanding any of them to bee cut downe contrary to the forme of this Act, to forfait for euery of them so left, which shall bee so cut downe vi. s. viii. d. And vpon paine also to forfait. for euery rodde of such great wood so not inclosed or preserved during the said space of ix. yeeres for euery Moneth iii. s. iiii. d. 35. H. 8. 17. 13. El. 25.

Wood felled at
xiiii. yeeres
growth, shalbe
preserued ix.
yeeres.

6 ¶ But

6 ¶ But it shalbe lawfull to every owner of any of the said coppies, woods, vnder woods, standils, great woods and trees afoze rehearsed, to fel & take any of the same for building, repairing, inclosing, & maintaining of houses, orchards, and gardens, and every of them, and for paling, railing, or inclosing of Parkes, Forrests, Chases, or other grounds, & for making or repairing of water woorkes, dammes, bridges, fludgates, making, or repairing, or amending of shippes, and al other vessels, and for all other thinges concerning his owne vles or affaires, in such like maner, as he might lawfully haue done before the making of this act. 35. H. 8. 17.

In what cases
one may fell
Standils.

7 ¶ It shall not bee lawfull to any person which shall haue any woods, or vnder woods, wherein any other person or persons iustly hath, or haue vled time out of mans remembrance, to haue common of pasture, to fell or cut downe the saide woodes, or vnder woodes there growing or being, except it be to his owne vse and occupation, vntill the iiii. part of such woodes, vnder woodes, or groundes where y^e same woodes growe, or as much as the iiii. part of the sayde grounde shall amount vnto, shalbe by the Lord and owner of the sayde grounde deuided, set out, bounden, and inclosed in maner and forme hereafter declared, v^z. The sayd Lord that then shalbe owner of the said grounde shall call together the tenants and inhabitants being commoners in the said grounde, or the more part of them, and vpon the assembly and meeting of the said Lord, tenants, and inhabitants, or the more part of them, the sayde Lord or owner, by the consent and agreement of the sayd tenauntes, and inhabitants, or the more part of them, shal deuide, set out, meete & bound the iiii. part of the said woods & vnder woods, or so much thereof as shall amount to the full iiii. part thereof. 35. H. 8. 17.

The selling of
woods, where
in others haue
common.

Deuiding the
iiii. part of the
woode.

8 ¶ And if the said Lord and the said tenants & inhabitants, or the more part of them, cannot, will not, or do not agree, for or vpon the seuering, setting out, and bounding of the said iiii. part of y^e said woods & vnder woods, or of as much thereof as shal amount to the full fourth part thereof, then ii. Iustices of the peace, not being of the kinne, alliance, cosinel, or fee, of, or to the said lord or owner (being thereunto appoynted by the more number of the Iustices of peace of the Shire, where the said ground lyeth, in their open quarter Sessions,) vpon request and suit made vnto them by the Lord or owner, or by his lawfull depute of the said woods, ground &c. shall haue full power to call before them vpon such paines & penalties, as the sayde Iustices shall appoynt, such xii. of the said commoners & inhabitants nigh vnto the same woods &c. as by the said two Iustices shalbe thought conuenient.

where twoe
Iustices with
the Lord and
tenants shall
diuide y^e wood.

And vpon or after the appearance of the same Lordes, owners, commoners, and inhabitants, or the more part of them, the same Iustices shal declare vnto the, the cause of their assembly, & that done, shall by the aduise and assent of the said Lord, owners, commoners, & inhabitants, or their lawfull deputie or deputies, or of the more part of them, effectually proceede to the seuering, deuinding, meeting, & bounding of the said iiii. part of the said woods & vnderwoods, or of so much thereof as shall amount to the iiii. part thereof. 35. H. 8. 17.

where the Iustices only shal make the deuision.

9 ¶ And if the same Iustices, owners, commoners, and inhabitants, or the more part of them, cannot, or will not agree vpon the deuision, bounding, or setting out of the said iiii. part thereof, as is aforesaid: Then the said Iustices shal haue full power to seuer, deuide, and set out, by meete & bound, the iiii. part of the said woods & vnderwoods, or so much thereof vnder the same iiii. part, as shall by the sayde Iustices be thought necessary & requisite to bee set out. And within the moneth next after such seuerance & setting forth thereof, the owner or owners of the same woodes or vnderwoods in forme aforesaid declared, shal sufficiently inclose the same part of the said ground so set forth, as is aforesaid. And after such inclosure made, hee may at his libertie fel & take the said woods and vnderwoods, being in or vpon the sayde coppies, woods, vnderwoods, or ground so set forth or any part thereof. 35. H. 8. 17.

Howe many standils shal be left standing in common woods inclosed and, killed.

How long common woods inclosed shal be kept in seueral.

Preseruing of standils not cut downe.

10 ¶ There shalbe left standing & unfelled in & vpon the said part of euery the same woods or vnderwoods, or ground so seuered, bounded and set out distinctly, in forme aforesaid, at euery felling thereof, such and like nūber of standils or stozers of yong okes or other yong trees of Elme, Ashe, Aspe, or Beech if it be coppies, or vnderwoodes which shalbe so felled, & if the woods that shalbe felled shall bee great trees, or great woods, then such number shalbe left standing of great trees in or vpon the said part to all intents, & vpon like, and the same penalties, as is before limited, for not leauing & preseruing of standils in seueral woods & grounds. And the said part so fenced, bounden, & set out in maner & forme aforesaid, after euery felling of the coppies woods, or vnderwoods for the time being, in or vpon the same, shalbe sufficiently inclosed & fenced, & the inclosure thereof sufficiently and continually made or repaired, & maintained by the space of ix. yeeres next after euery felling thereof, in like maner & forme to all intents, & vpon the same & like penalties, as is before appointed for the not closing or fensling, or for the not repairing & preseruing of the said seuerall coppies &c. And also the standils, stozers, & great trees appointed to be left standing in or vpon the said part, shalbe there left standing, preserued,

ued, and not cut downe, such like penalties of the said Act the said seueral

11 ¶ After the woods growing in places before deuind next after the felling be put in, or shal be any such part so felled peres, next after for the putting in cattell to be put in woods &c. 37. H.

12 ¶ If it woods, vnderwoods to cut downe aforesaid, then euery tree so cut be to the Queene. E. 3. H. 35. H.

13 ¶ For a tants shalbe excused, as is aforesaid, felling of the said vpon the same, their common f vnderwoods, g as if this act ha ground shalbe on the same rel due, during & b pies, woods or seuered & inclo until the next f vpon the said p as the said resi the pasture and aswel by the Lo commoners, a haue bene befo

not cut downe, in such like maner, & by all such time, & vpon
the penalties, to all intents, as is afoze limitted for the preserua-
the said fozers, & great trees, appointed to be left, in and vpon
seuerall coppies &c. 37. H. 8. 17. 13. El. 25.

After the said felling of the sayde coppies, vnderwoods, and
growing in any such part of any the said woods, groundes, or
efore declared, no beasts or cattel during the space of ix. yeres
er the felling of the same woods, shal willingly by any person
n, or shalbe suffered to feede or to continue in any parcel of a-
part so set forth, as is afozesaid, during the said terme of nyne
ext after the felling thereof, vpon paine of forfaiture of iiii. d.
utting in of euery beast, or wilfull suffering of eucry beast, or
o be put into any of the said seuerall coppies, vnderwoods or
c. 37. H. 8. 17. 13. El. 25.

If it shall happen any person being owner of any such
vnderwoods, or coppies, lying & being in any wast ground,
downe any trees, or vnderwoodes, contrarie to the forme a-
e, then euery person owner so offending, shall forfait for e-
ee so cut downe vi. s. viii. d. all which foresaid forfaitures shall
e Queene and I, to bee recovered by A. J. &c. wherein no W.
c. 35. H. 8. 17.

Forasmuch as the sayde tenants, commoners, and inhabi-
shalbe excluded of their common in the said part so to bee seue-
as afozesayde, by all the saide terme of ix. yeres next after the
of the sayde coppies, woods, and vnderwoodes that shal grow
e same, in recompence thereof, they shall & may vse and haue
mmon for their cattell within the residue of the sayde woods,
oods, ground, & soile not being inclosed in maner and forme,
is act had neuer bene made, & the lord being owner of the sayde
shalbe excluded to put, or haue any cattell or beastes in or vpon
same residue, or to take any profit of the pasture in the said resi-
ring & by y^e terme of vii. yeres next after y^e felling of y^e said co-
oods or vnderwoods, growing vpon y^e said part which shalbe so
& inclosed as is afozesaid. And after the sayd ix. yeres expired,
e next felling of the said coppies, woods, or vnderwoods, being
e said part, being deuided as is afozesaid, aswel the same part,
said residue of the said ground shal lie & be vled in common, &
ure and other profits therof shall and may bee vled and taken
by y^e Lord, being owner of the said ground, as by y^e said tenants
ners, and inhabitants, in like maner as it shoulde or ought to
ne before y^e making of this act. 35. H. 8. 17. Quare whether y^e

E e e, iiii,

Lord

How long
woods inclo-
sed from the
common shall
be defended
from cattell.

Cutting of
wood in wast
ground.

The forfait-
tures.

The Lord of a
wood lying in
common inclu-
ding one 4. part
shalbe extēded
of his common
in the other 3.
partes.

Lord shall be excluded of his common for iiij. yerres or ix. yerres, for the statute of 13. El. 25. giueth the Lord two yerres more then that statute of 35. H. 8. to inclose or keepe in seuerall his woods, but it doth not exclude the Lord of his common for any further time, then in the sayde statute of 35. H. 8. is limited.

Woods bled
to be inclosed.

14 ¶ It shall be lawful to euery person to fell & to inclose all their coppies, woods, & vnderwoods in any wast groundes, which before y^e making of this act haue bene vbled to be inclosed & kept for the maintenance of wood & vnderwood. 35. H. 8. 17.

The commoners shall en-
joy their com-
mon so long
as the wood
is vnfelled.

15 ¶ If the same part of wood & vnderwood so inclosed by y^e Lord or owner of the same, as shall be to him limited by the sayd Iustices of peace, or commoners, bee not felled within iiii. Monethes next after the inclosing therof, the & so long as the same woods shall not be felled, it shall be lawful to the said commoners to put their cattell into the same wood and ground so inclosed, & the owner therof shall leaue open conuenient places within the same inclosure, whereby the commoners beasts may come into the same wood, & there to feed so long as y^e same wood shall be vnfelled. 35. H. 8. 17.

Woods in the
weld of Kent,
Surrey, Suff-
sex.

16 ¶ This Act shall not extend to any of the Lords or owners of the woodes, vnderwoods, or woodlands, growing, or being within any of the towne, parishes, or places commonly called or known to be within any of the weldes of Kent, Surrey, and Suffex, other then onely to the common woods growing & being within any of the sayd weldes of the said Counties. 35. H. 8. 17.

What wood
this statut ex-
tendeth not.

17 ¶ This act shall not extend to charge any person with any penaltie contained therein, concerning any timber trees growing within two miles of the Sea in the county of Cornewal, or any other timber trees within the Realme being sere & dead in the toppes, or any timber trees to be taken by vertue of the Queenes Commission within y^e Realme, or for any offence done contrary to the tenor of this act, vnlesse the person offending this act be sued for the same within one yere next after the same offence committed. 35. H. 8. 17.

Within what
time the offend-
er must be
sued.

Breaking of
wood hedges.

18 ¶ If any person do breake or destroy any seuerall fences, or hedges, made for the sauing of the same woods, vnderwoods, grounds, or soiles, he shall forfeit for euery such offence. x. s. 35. H. 8. 17.

Swine shall
not go in the
wood vn-
ringed.

19 ¶ If any person suffer his swine being of the age of x. weeks or aboue, (during such yerres as the said woods bee appointed by this act to be inclosed,) to go or runne in any common, or seuerall ground or woods, vnlesse the same bee sufficiently ringed, or pegged, then the owner of euery such swine, shall forfeite for euery such his swine that shall goe vnringed &c. iiii. d. the one halfe of the sayde forfeitures if it

if it be in any of the Queenes woods or grounds, to be to her highnes, and the other to the finder thereof, and if it be within any other persons grounds, or woods, the one halfe of the same forfeitures to be to the owners of the soyle, and the other to him that will sue for the same by A. J. &c. wherein no W. C. B. &c. 35. H. 8. 17.

20 ¶ Where any woods or underwoods shall be felled in any parke, or ground inclosed wherein any Deere shall be then kept, the owner or possessor of such parke or grounds shall be chargeable for the inclosure and preservation of the same as is aforesayd, but only for the space of sixe yerres after any such time of felling of the same woods &c. and not aboue. An. 35. H. 8. 17.

The fensling of wood in a parke, wherein Deere is kept.

21 ¶ If the inclosure of any of the sayd copices, woods, underwoods, or groundes happen to be broken, or pulled downe by any person against the will of the owner or possessor of the same woods &c. whereby cattell escape into the same woods &c. and destroy or hurt the spring thereof, or if the same woods, ground or underwoods, be by any meanes destroyed, hurted, or hindred by any person, or by the cattell of any person, without the assent and will of such owner or possessor: in euery such case the said penalties contained in this act, shall be extended vpon the same person by whose default the same spring, wood or underwood shall be so destroyed or hurted, and not vpon the owner or possessor of the sayd woods, groundes, or underwoods, An. 35. H. 8. 17. 13. Cl. 25.

Where a stranger is cause of the offence, he shall be punished and not the owner of the ground.

22 ¶ It shall not be lawfull for any person to put any manner of cattell into any copices woods inclosed to be preserved, from the time of the sale thereof vntill the end of five yerres, nor from the end of five yerres, any other cattell but calves, and pereling Coltes onely, vntill the end of sixe yerres, if the wood was vnder the age of xiiii. yerres at the last fall, or vntill the age of viii. yerres if the wood was aboue the age of xiiii. at the time of the last fall, 13. Cl. 25.

Within what time cattell may be put into copices woodes.

23 ¶ Euery man that hath wood within the forest, may take the said wood without being attached by any officer of the forest, so that he doe it by the view of the foresters. 1. Ed. 3. 2. And euery freeman may take agestment in his owne wood within the Queenes forest at his pleasure, and shall haue his pawnage, and may drive his swine through the Queenes demeane woods, for to agest them in his owne woods or els where, and if the swine tary one night in the forest, he shall not lose one of them thereby. Carta de Foresta. 9. H. 3. 9.

How a man may use his wood which is within the forest. Agestment.

24 ¶ Those that doe make purprestures in their woods which they haue in forests without the Queenes speciall licence, or waste, or assert in the same, shall answere to the Queene for the same wastes, purprestures,

Purprestures, wastes, asserts made in the forest.

to ech man
ap ble his
od within
rest.

pressures and assertes. But every freeman shal without danger make in his owne wood in his ground, or in his water, which hath within the Queenes forest a myll, a poole, a pond, a marlepit, a ditch, or arable land, out of the Couert of the Forest of ground which hath bene arable, so that it be not to the hurt of any of his neighbours, and also he may haue within his woods Appies of Hawkes, Sparhawkes, Falcons, Eagles and Herons, and the honie that is found within his woods. Charta de Foresta. An. 9. H. 3. 4. 12. 13.

to long
ods felled
the forests
ap be ins
led.

25 ¶ If any of the Queenes subiects hauing woods of his owne, growing in his owne ground within any forest, chafe, or purliw of the same within this Realme of England, shall cut or cause to be cutte the same wood, or part thereof, by licence of the Q. or of her heires in her forests, chafes or purliwes, or without licence in the forest, chafe or purliwes of any other person, or make any sale of the same wood, it shalbe lawfull to the same subiect, owner of the same ground whereupon the wood so cut did grow, & to other such persons, to whom such wood shalbe sold, immediatly after the wood so cut, to copie, & inclose the same ground with sufficient hedges, able to keepe out all maner beastes, and cattel out of the same ground, for the preserving of their pong spring, and the said hedges being so made, the said subiects may keepe them continually by the space of seven yerres next after the same inclosing, & repaire & susteine the same as often as shall neede within the same 7. yerres, without suing any other licence of the Queene, or of her heires, or other persons, or any of their officers, of the same forests, chafes, and purliwes. 22. Ed. 4. 7.

1 The forf. for burning of any heape of wood felled. S. Burning 1.

2 At what time Oken trees meete to be barked, shalbe felled, S. Barke 1.

3 That no purueyours of timber shall fell any trees growing in or about any mans house. S. Purueyours 8.

4 That no Purueyor of timber shall fell any timber to the Q. vse, but onely in barking time, or shall take away any more then onely the timber tree, S. Barke 2.

5 That none shall buy wood but they which will burne or retaile the same. S. Fuel 1.

6 Where woods shall be felled in or neere high wayes, S. High wayes 18.

7 What woods may be felled, and in what places for the making of Iron, and what not. S. Iron.

¶ Woolles.

who onty
may buy
wools.

NO person being bozne win the Q. obeisance, shal buy, bargaine, take, or make any promise or bargaine of woolls, but onely such person,

person, his wife, or his apprentice inhabiting in his mansion house, as shall of the said wools make parne, any kinde of clothes, Chamlets, Woolstede, Sayes, Stamine, knit hose, knit petticoates, knit gloues, knit sleeues, hattes, coyfes, cappes, Arras, Tapestry, couerlets, girdles, or any other thing vled to be made of wooll, or mixed with wooll within the realme, or els a Marchant of the Staple, or his apprentice dwelling in his mansion house, to be shipped onely to the Staple, vpon paine of forf. of the double value of the sayd wools so to be bought or bargained, or taken by promise of bargain contrary to this act, to the King and I. to be recouered by A. I. & c. wherein no W. E. P. & c. 5. Ed. 6. 7. Neither shall any denizen buy wools, but of the owner of the sheepe and tythe wooll, but in the Staple. 14. R. 2. 4.

The words of a statute be to be shipped onely to the Staple of Calice. Ideo Quere.

2 ¶ But the Marchants of Newcastle, and other persons may buy wools of the growth of the counties of Northumberland, Cumberland, Westmerland, Richmount, and Alderton shire, or the bishopricke of Duresme, to the intent to ship or transport the same into the parties beyond the sea, as they haue bene accustomed, any thing in this act & c. notwithstanding. 5. Ed. 6. 7.

Woolles growing in Northumberland &c.

3 ¶ And also the Marchants of the Staple from time to time may bargain or sell their refuse course wooles, and lockes, such as is not meete for the said Staple, to any person that will buy the same to make parne or cloth, or other things as is aforesayd within this realme, so as the same be shot and packed by the wooll packer, declaring of what packing or countrey the refuse or lockes be, & writing vpon the clothes wherein the said refuse wooll is packed, in great letters, as they doe vpon the wools that are shipped to the Staple. 5. Ed. 6. 7.

Staplers may sell their refuse wools & lockes.

4 ¶ Every person dwelling within the Countie of Norff. or citie of Norwich, by himselfe, or by his factor or seruant, may lawfully buy and bargain wools, and take and make prouision to buy or bargain wools growing onely within the said county of Norff. so that the same person so buying or bargaining, or making promise to buy or bargain the said wools, doe sell or retaille the same againe in the common market, or other open place within the said county of Norff. folke or Citie of Norwich, to any person or persons that will buy the same or any parcell thereof dwelling within the said county of Norff. and citie of Norwich, or any of them, that will spinne the same within the same countie or citie. 1. Ed. 6. 6. 5. Ed. 6. 7.

How Norff. wooll may bee bought & solde againe within the same Countie.

5 ¶ It shalbe lawfull to any person inhabiting within the parish of Walspar, to buye any wooll, at such times as the Clothiers may buy the same (otherwise then by ingrossing and forstalling) so that the persons so buying the same, doe carrie or cause to be carried the sayd wools so bought by them to the towne of Walspar, and there to sell

The inhabitants of Walspar may buy wool & sell the same there againe.

the

the same to such poore folke of that and other parishes adioyning, as shall worke the same in cloth of yarne (to their knowledge) and not to the rich clothier, nor to any other to sel againe. And if either the wooll wyuer shal sel his said woolles at any other place forth of y^e said towne of Walyfar, or if any such that shall buy their woolles at Walyfar, shall sel their wools that they bought againe unwrought in yarne or cloth, then euery such offendour shall forfait the double value of the wooll so sold or vttered, to the D. & Informer, that will sue for the same in any of the Queenes Courts of Record, or before the Iustices of the peace in their sessions. 2. & 3. P. & M. 13. S. Iustices of peace 98.

6 ¶ No Marchant stranger, by himselfe, or by any other person for him, in his name, or to his vse shall bargaine, or buy any woolles before the feast of the Purification of our Lady next after the clipping or shearing of the same woolles, vpon paine of forfaiture of the double value of the same woolles, to the D. & J. to be recouered by A. J. & c. wherein no W. C. P. & c. 5. Ed. 6. 7.

7 ¶ No person hauing any wool of his owne growth, shal keepe the same woolles, to the intent to sell the same in woolles unwrought, aboue one whole yeere next and immediatly after the shearing of the same woolles, so as there be offered without fraud or couin to y^e owner or owners thereof within the same time, such price as then shall be most commonly giuen in the same shire for wooll of like goodnes and packing, vpon paine of forfaiture for euery tod or tod weight thereof so kept aboue one yeere unsold as is aforesaid x. s. to the D. & J. to be recouered by A. J. & c. wherein no W. C. P. & c. 5. Ed. 6. 7.

8 ¶ No person shal wind or cause to be wound, any fleece of wool being not sufficiently riuered or washed, ne wind or cause to be wound within any fleece, clay, lead, stones, sand, tayles, deceitfull lockes, cot, galles, comber, lames wooll, or any other thing, whereby the fleece may be the more weightie, to y^e deceit, & losse of the buyer vpon paine the seller of any such deceitfull woolles to forfait for euery such fleece vi. d. to the Quene and the finder, and prouer of the same deceit, to be recouered by A. J. & c. wherein no W. C. P. & c. 8. H. 6. 22. 23. H. 8. 17.

13. El. 25. And if any woolpacker, do make any other but good and due packing, he that feeleth him selfe grieued thereby, shall haue his action of trespasse and deceit at the common law, against him, and if any stranger doe force, clacke, or beate any wooll, he shall forfait the same or the value thereof, and be imprisoned. 8. H. 6. 22.

9 ¶ But this act concerning riuering and washing of any wooll, shal not extend to any shire or shires, the inhabitants whereof haue not customably vsed before this tyme, to riuer or wash their sheepe before they

at what time
merchant as
en may buy
wooll.

No man shal
keep his wooll
aboue a yeere,
if he haue the
ordinarie price
offered for it.

winning of
wools.

Woolpacker.

Force, clack, or
beate wooll.

Counties
where wooll is
not washed, or
riuered, solde
by tale.

they bee thorne, nor shall be hurtfull to any persons that haue vsed customably to sell their woolles by sale, or number of the fleeces, and not by weight. 23. H. 8. 17. 13. El. 25.

10 ¶ No denizen nor forren shall make any refuse of wools, but of cotte, gare, & villeine. Neither shal any buy wools, by these words (good packing) nor other like words, vpon paine to forf. to the partie griued double damages, and the broker shalbe half a yere imprisoned. And whosoever doeth cocket wool but in the name of him whose the wools be, shal forf. them. 13. R. 2. 9.

what wool may be refused

Cocketing of wools.

In the time of Ed. 3. and sithence, diuers statutes were made for the placing, maintenance, and remouing of the staple and for lawes and ordinances to be obserued therein, & certaine Magistrates and officers were ordeyned for the execution thereof, & seuerall statutes were made, prohibiting wools to be caried to any other place sauing to Callice, or the places where the said staple was established, but some of those statutes be repealed, many expired, and the vse of the residue in effect taken away by the want of Callice, except those which be expressed in this & other titles of this treatise. But whether the staple is remoued, by what warrant & authoritie, & in what sort, and how farre the statutes prouided for the maintenance of the staple of Callice doe extende, or may be executed for the maintenance of the same in any other place, Quære.

The staple.

Quære.

- 1 For the contents of a stone & sack of wool, S. Weights. 3.
- 2 For the custome of wools, S. Custome. 8. 18.
- 3 For the boyling of wool, and with what stuffe it shalbe boyled. S. Draperie. 66.

¶ Women.

If any woman hauing estate in dower, or for terme of life, or in taile, ioyntly with her husbände, or onely to her selfe, or to her vse, in any manors, landes, tenements, or other hereditaments of the inheritance or purchase of her husbände, or giuen to the said husbände and wife in taile, or for terme of life, by any of the ancestors of the saide husbände, or by any other person seyled to the vse of the sayd husbände, or of his aunccestors, and shall being sole, or with any other after taken husbände, discontinue, alien, release, or confirme with warranty, or by couin suffer any recovery of the same against them, or any of them, or any other seiled to their vse, or to the vse of either of them, after the fourme aforesaide, al such recoveries, discontinuances, alienations, releases, confirmations, and warranties so had and made, shalbe vtterly voyde. And it shalbe lawfull to euery person & persons to whom the interest, title, or inheritance after the decease of the sayde woman

alienations, recoveries, or warranties made by the wife of the inheritance of her late husbände.

Writ of En-
tre in casu
prouiso.

Upon the re-
couerie of alie-
nation of the
woman, he in
the reuerfion
may enter.

A woman
revert bound
but during her
husbands life.

A woman sole
aliening or
suffering reco-
uerie.

A woman
doth disconti-
nuance or suffer
recovery with
the heires con-
sent.

A woman
may giue land
for terme of
her owne life.

Woman of the said lands &c. being discontinued, aliened, or suffered, to be recovered in forme aforesaid should appertaine, to enter into al and euery of the premisses, and peaceably to posside and enioy the same, in such maner and forme, as he or they should haue done if no such discontinuance, warantie, nor recovery had bene had or made. 11. H. 7. 20. S. Statute Gloucester 6. Ed. 1. If a woman do sell or giue in fee, or for terme of life, a tenement which she holdeth in dower, the heire or other to whom the land ought to reuert after the decease of the wife, shall immediatly haue his recovery by writ of Entrie out of the Chancery.

2 ¶ If any of the said husbands and women, or any other seised to the vse of them, of the estate afoze specified, do make or cause to be made, or suffer any such discontinuance, alienations, warranties or recoveries in forme aforesaid: Then it shalbe lawfull to the person or persons, to whom the said lands &c. should or ought to belong, after the decease of the saide woman, to enter into the same, and them to posside and enioy, according to such title and interest, as they should haue had, if the same woman had bene dead, no discontinuance, warantie, nor recovery had against the said husband during his life, if the said discontinuance, alienation, warranties, and recoveries be had by or against the same husbands and women during the espousall betwixt them, But the saide women after the decease of their said husbands, may reenter into the same lands &c. and them inioy, according to their first estate in the same. 11. H. 7. 20.

3 ¶ If the said women at the time of such discontinuance, alienations, recoveries, warranties, in forme aforesayd had and made, of any of the premisses be sole, then she shalbe excluded of her title, and interest in the same from thenceforth, & the person to whom the title, interest, and possession of the same should belong after the decease of the said woman, shall immediatly after the said discontinuances, alienations, recoveries, and warranties enter into the same lands &c. and them posside and inioy according to his title in the same. 11. H. 7. 20.

4 ¶ This act shall not extend to any such recovery or discontinuance had with the heires next inheritable to the said woman, or where he or they that next after the death of the same woman shoulde haue estate of inheritance in the same lands &c. be assenting and agreeable to the saide recoveries, where the same assent and agreement is of record or inrolled, And it shall be lawfull to euery such woman being sole, or married, after the death of her first husband to giue, sell or make discontinuance of any such lands, for terme of her life onely, after the course of the common law. 11. H. 7. 20.

5 ¶ No fine, feoffment, or other act, made, suffered, or done by the

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the husband only of any lands, tenements, or hereditaments, being the inheritance or freeholde of his wife, during the coverture betwixt them, shall in any wise be, or make any discontinuance thereof, or be prejudiciall to the wife or to her heires, or to such as shall have title, interest, or right to the same by the death of such wife, But the same wife or her heires, and such other to whom such right shall appertene after her decease, shall and may then lawfully enter into such lands &c. according to their rights and titles therein, notwithstanding such feoffment or other act, (fines leuied by the husband and wife whereunto the said wife is party and priuy except.) But this act doth not giue libertie to the wife, or to her heires, to auoyde any lease made of any inheritance of the wife by her husband & her for terme of xxi. yeeres or vnder, or for terme of 3. liues at the uttermost, whereupon as much perely rent or more is reserved, & perely payable during the same lease, as was at any time therfore paid wⁱⁿ xx. yerres next before the making of any such lease. 3 2. H. 8. 28. Neither doth this act giue libertie to the wife or her heires to auoid any recoveries, deedes inrolled, or releases, being in the nature of fines, (whereupon women couert are vbled to be examined) knowledged & taken before the Maiors, Aldermen, Recorders, Chamberlaines, or other head officers of the city of London, or other cities, boroughs, or townes corporate hauing power to receiue & take the same, according to y^e customes of the said cities, boroughes, &c. But the same recoveries, deedes inrolled, & releases shall remaine of like strength to al intents as they were before the making of y^e foresaid statute of 3 2. H. 8. 34. H. 8. 22. S. Westm. 2. 13. Ed. 1. 3. that if y^e husband do lose by default any tenement which hath his wiues right, the wife after the death of her husband may recouer the same by a Cui in vita.

The husbands only act of the wiues lands shall not preiudice her, or her heires after his death.

Leases made by y^e husband and wife of the inheritance of the wife.

Recoveries of deedes inrolled in corporat Townes.

Lands recovered against the husband by default.

6 ¶ It shall not be lawfull to any person or persons to take or conuey, or cause to be taken or conueyed away, any mayde or woman childe vnmarrried being within the age of sixteene yerres, out of, or from the possession, custodie, or gouernance, and against the wil of the father of such mayde, or woman childe, or of such person to whom her father by his last will, or by any other act in his life time shall assigne, bequeathe, giue, or graunt the order, keeping, education, or gouernance of her, except such taking away shalbe had or made by or for such person as without fraude then shalbe the master or mistresse, or the garden in socage, or garden in thinalrie, of or to such mayde or woman childe. 4. & 5. H. 8. 11. 12. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24. 25. 26. 27. 28. 29. 30. 31. 32. 33. 34. 35. 36. 37. 38. 39. 40. 41. 42. 43. 44. 45. 46. 47. 48. 49. 50. 51. 52. 53. 54. 55. 56. 57. 58. 59. 60. 61. 62. 63. 64. 65. 66. 67. 68. 69. 70. 71. 72. 73. 74. 75. 76. 77. 78. 79. 80. 81. 82. 83. 84. 85. 86. 87. 88. 89. 90. 91. 92. 93. 94. 95. 96. 97. 98. 99. 100.

Conueying a mayde vnder xvi. yerres of age.

7 ¶ If any person or persons aboue the age of xiii. yerres shal vnlawfully take or conuey, or cause to be taken or conueyed any mayd or woman childe vnmarrried, being within the age of sixteene yerres,

The sayd. for taking away a maid vnder xvi. yerres of age.

out

out of, or from the possession and against the will of the father, or mother, or of such person or persons as then shall haue by any lawfull meane the order, keeping, education, or gouernance of any such maide or woman childe, Then euery such offendor being therof lawfully attainted or conuicted by the due course of the law of this realme (other then such of whom such person taken away shall hold any landes or tenements by Knights seruice,) shalbe two yerres imprisoned, without bayle or mainpryse, or else shall pay such fine for his said offence to the Queene, & p. griued, as shalbe assessed by y^e Queenes Counsel in the Starre Chamber at Westminster. 4. & 5. p. & p. 8.

Taking away
and deflow-
ring or con-
tracting ma-
trimony with
a woman un-
der xvi. yere
of age.

8 ¶ If any such person or persons shall so take away, or cause to be taken away as is aforesayd, and deflowre any such maid or woman childe as is aforesayd, Or shal against the will, or vnknowing of, or to her father, if the father be in life, or of, or to her mother, (hauing the custodie and gouernance of such childe if the father be dead) by secret letters, messages, or otherwise, contract matrimonie with any such maiden or woman childe (except such cōtracts of matrimonie as shal be made by y^e consent of such person or persons as by the title of wardship shal then haue or be entituled to haue y^e mariage of her) then euery such offendor being thereof lawfully cōuicted &c. shal suffer imprisonment five yerres without baile or mainpryse, or els shall pay such fine for his said offence to the Q. & party griued, as shalbe assessed by the Queenes counsell in the said Starre Chamber. 4. & 5. p. & p. 8.

Who may
heare and de-
termine y^e of-
fences afores-
saide.

9 ¶ The Queenes Counsell of the Starre Chamber by bill of complaint or information, & Iustices of assise by inquisition or indictment, haue authoritie to heare & determine y^e said offences, vpon euery which indictments & inquisitions such proces shalbe awarded, as vpon an indictment of Trespas at the common law. 4. & 5. p. & p. 8.

If a woman
between xii. &
xvi. do consent
to an vnlawfull
contract of ma-
trimonie, her
next heire may
enter vpon her
landes.

10 ¶ If any woman childe or maiden, being aboue the age of xii. yerres and vnder xvi. do at any time consent to such person that so shall make any contract of Matrimonie, contrary to the forme and effect of this Statute: Then y^e next of her kinne to whom y^e inheritance should returne or come after her decease, shall from the time of such assent, haue and enioy all such landes, tenements, and hereditaments as shee had in possession, reuerfion, or remainder, at the time of such assent, during y^e life of such person y^e shal so contract matrimonie. And after the decease of such person so cōtracting matrimonie, then y^e said landes &c. shal descend, reuert, remaine, & come to such person or persons, as they should haue done in case this act had neuer bene made, other then to him onely that so shall contract matrimonie. 4. & 5. p. & p. 8.

Dispar.

11 ¶ But this act shall not extend to take away or diminish any libertie,

libertie, custome, or authoritie, concerning any Orphanes within the citie of London, or any other citie, borough, or towne where orphanes are commonly vsed to be prouided for, eyther by grant or by custome: But the Lord Maior of the said citie of London, and the Aldermen of the same, & euery other head officer of any other citie &c. where such Orphanes be prouided for, shall, and may haue, and take like rule, order, keeping, and charge of such Orphanes, and of all their lands, tenements, goods & cattels, as heretofore they vsed, or lawfully might haue had and vsed, if this act had not bene made. 4. & 5. P. & M. 8.

12 **I**f any person or persons doe take any mayde, widowe, or wife, which hath any lands or goods, or is heire apparant to her ancestor, against her will unlawfully: such taking, procuring, and abetting to the same, and also receiuing wittingly the same woman so taken agaynst her will, and knowing the same, is felony, and such misdoers, takers, and procurators to the same, and recepuors knowing the sayd offence in forme aforesaid, shalbe reputed and iudged as principall felons: But this act doth not extend to any person taking any woman, onely clayming her as his ward or bondwoman. 3. P. 7. 2.

Taking a woman against her will.

13 **I**f any person or persons wil take by force, or dissimulation, or by any other meanes will get into his or their possession any woman being sole, hauing any lands, tenements, or moueable goods within this realme, and conuey her into any place where he or they bee of power, and will not suffer her to go at libertie, vntill she wil be bound vnto him or them, or to some other, to his or their vse, in a summe of money in an oblygation, or oblygations simple, or conditionall, or by oblygation of the stat. Merchant before a Maior or Bayliffe, hauing power to take such recognisances, or will cause the sayd summe to be leuied of her lands or goods, or will cause her to be married against her will: Then the partie which is bounde may haue a writte out of the Chancerie conteyning all the matter of her vnreasonable intreatie, directed to the Sheriffe of the Countie where any of the sayde offences shalbe committed, commanding him that he shall by force of that writ, make Proclamation in the full and next Countie after y receipt of the sayde writ, that the person or persons conteyned in the sayde writ shall appeare at a certaine day and place prefixed in the said writ, before the Chancelour of England, or before the Iustices of Assise in the Countie where the sayd offence was committed, or otherwise before some worthy person appoynted by the Chancelour, at which day and place if the partie &c. doe appeare, the Chancelour, Justice, or other person assigned, shall examine him duely vpon the premisses, by which examination if they may finde the sayde oblygation or oblyga-

Ward, bond woman.

A woman enforced to be bound by obligation, or statute against her will.

Women.

tions to be made in such forme as is aforesayd, then the sayd obligati-
on or obligations, and al proces and execution thereupon pursued, shal
be voyde. And if it be found by examination before them, that any of
the sayd obligations were made for very duetie, and by no such meane
as is aforesayd, Then the sayd obliggation &c. and all the proces and
execution pursued thereupon shal be good and effectuell. And if the
person or persons in such writs named, agaynst whome any such let-
ters or writs shal be sued, do make default at the day and place limita-
ted in the sayd writs: Then all such obligations as be aboute specifi-
ed and in the sayd writs expressed, and all maner of proces, and execu-
tion sued or pursued thereupon shalbe voyd. 3 I. H. 6. 9.

What the Sher-
iffe shal forf. if
he do not exe-
cute this writ.

14 ¶ The Sheriffe to whom such writs vpon this stat. commenced,
shalbe directed, shal execute the sayd writtes according to the tenour
thereof, vpon payne of C. C. li. wherof the D. shal haue the one mo-
itie, and the partie which sueth the proclamation the other, for þ which
moitie the sayd partie grieved shal haue an action of debt agaynst the
sayd Sheriffe with proces of outlawry, wherein no W. P. &c. nor fo-
reine plee to be tried in any other place, but where the writ commen-
ced vpon the stat. is sued. 3 I. H. 6. 9.

A womans suit
shal not be des-
ferred by the
minoritie of
the heire which
shuld warrant.

15 ¶ If any man doeth alien the right of his wife, the womans
suit, or her heires, shal not be differred after the death of her husbande
by the minoritie of the heire which ought to warrant it, but the buyer
(which ought not to be ignorant that he hath bought an others right)
shall carrie to haue his warrantie vntil the full age of the heire. West.
2. 13. Ed. 1. 40.

1 What punishment doeth ensue the Rape of a woman, or con-
senting to Rape. S. Rape. 1. 2. 3.

2 Where a woman shal haue her quarentine, where her iointure,
where her dower, & what causes there may be of conclusion or forf.
S. Dower.

3 Where a woman may haue appeale of death or murder. S. Ap-
peales 4.

4 In what case a woman aboute the age of xii. yeres is compellable
to serue. S. Laborers. 14.

5 What leases made of a womans landes dnring her couerture
shall binde her, and what not. S. Leases. 1. 2. 3.

6 How widowes or other women, which holde of the Queene in
chiefe shalbe vsed in euery respect. S. Prærog. 4. 5. 27.

7 In what cases a woman couert shal be receiued to defende her
right of lands demanded. S. Receipt. 1.

8 That a will made by a woman couert of landes is not effect-
all

all in lawe. See Willes 17.

9 That a will made by a widowe of her croppe is good. See Willes.20.

Worstedes.

NO person shal take vpon him to dyicalender any worsted within this Realme, vpon payne to forf. for euery worsted that is so dyicalendered C.s. 5. W.8.4.25. W.8.5.

No worsted
shal be dyie cal-
endered.

2 **N**O person or persons shal take vpon him or them to wetcalender any worsted, but only such persons as haue ben bound apprentices to other persons of y^e same occupation of wetcalendryng of worsted by the space of vii. yerres, or be cunning in the same, and their cunning approued & admitted by the Maior of Norwich, & the two Masters of the sayd craft, perely to be chosen within the sayd citie of Norwich, or in the Countie of Norfolk, of the craft of wetcalendryng vpon payne of euery such person which shal do the contrary to forf. for euery peece so calendered against the purueyances aforesaid C.s. to the Q. & to the Masters of the said occupation of wetcalendryng for the time being. And it shalbe lawfull to the Masters of the said occupation (for the time being) & their successors, to sue for the one moitie of all such penalties forf. against euery such person, as shal do contrary to the forme and effect of this stat. by Action of debt, or by B. P. J. &c. wherein no W. &c. C. P. &c. 5. W.8.4.25. W.8.5.

Who shal wet
calender worst-
ed.

3 **N**O person vsing the mysterie of dying of worsteds, stamming, or sayes, or any of them, neither by himselfe, his seruant, factor, deputie, or any other by his assignment, shall vse to calender any worsteds, stamming, or sayes, or any other commodities made of worsted yarne, during all such time as he shal vse the mysterie of dying aforesayd, vpon paine to forfeite for euery peece so died, and calendered, by fraude, or contrary to the true meaning of this Act. xl.s. to be deuided into iii. equall partes, the one to the Queene, one other part to the Maior of Norwich, and the third part to him or them that will sue for the same by A. J. &c. wherein no C. P. or delay &c. 25. W.8.5.

None p^r dyeth
worstedes shal
calender them.

4 **N**O person shall transport beyond the sea any clothes of worsted, before the same be shorne, died, coloured, and calendered, vpon paine of forf. of the value thereof to the Q. & J. to be recovered by A. J. &c. wherein no W. &c. C. P. &c. 14. W.8.3.26. W.8.16.

No worsted
transported
before the same
be shorne, died,
and calendered.

5 **T**he Marchants and workers of Clothes, called single worsted, may carry boltes of single worsted to what partes they will, (except to the Queenes enemies) paying the customes and subsidies thereof due, notwithstanding any statute, ordinaunce, proclamation, inhibition, commaundements, or chartors, liberties, vsages, or priui-

What worst-
eds may be
transported, &
what not.

ledges, granted or to be granted to the Marchants of the Staple, or to any other, made or to be made to the contrary. But vnder the colour of the sayde boltes of single woosted, they shall carrie no double woosteds, nor halfe double, nor woosteds raze, nor motley, vpon paine of forf. of the same. 17.R.2.3.

Every man
shal put his
marke to his
woosted.

6 No man of the craft of woosted weauers, within the Citie of Norwich, or the Countie of Norfolk, shal make any woosted, vnles he put his proper mark fixed or wouen vpon the same, ordeined by the Wardens of the sayd Hysterie, vpon paine to forf. the same to the Q. and for euery peece of woosted solde, not marked after the forme aforesayd, the first seller shal forf. the price of the peece so by him sold to the Queene. 7.Ed.4.2.

Who shalbe
woosted wea-
uers of great
Parmouth &
Lynne.

7 No person inhabited within either of the Townes of great Parmouth, or Lynne in the Countie of Norfolk, or y^e suburbes thereof, shal weaue, or make any woosteds, sayes, or stammings, within eyther of the same townes, except he be an Englishman borne, and haue bene appyntice to the sayd occupation, and without he weaue therem such proper marke, as shal be appoynted by the Warden of either of the sayd townes where he shal inhabite for the time beeing, elect and sworn, vpon paine of forf. thereof to the Q. And euery Warden of either of the sayde townes shal limit distinct and seuerall markes to euery of the sayd woosted weauers of the same Townes of great Parmouth and Lynne, and the same markes by the sayd Wardens shalbe registred in a booke. 14.H.8.3. 26.H.8.16.

The woosted
of Lynne and
Parmouth
shalbe dyed,
shorne, & cal-
endered at
Norwich.

8 The crafts men of woosted weauers inhabited within either of the sayd townes of Lynne and Parmouth, or suburbes of the same, and the marchantes or any other person or persons which shal buy of any of the same craftes men, or of any other person, any of the sayd clothes of woosteds, stammings, or sayes, made within either of the sayde townes of Lynne and Parmouth, and sealed by the wardens of y^e same townes, nor any of them shal not sheare, dye, or put in colour, or calender any woosteds, stammings, or sayes made within either of the said townes of Lynne and Parmouth, or suburbs of the same in any other place, but onely within the citie of Norwich, or suburbes of the same, vpon paine of forf. of euery peece of woosted, sayes, or stammings, to be made within any of the sayd townes of Lynne and Parmouth, or suburbes of the same, or the value threof shorne, died, coloured or calendered by any of the sayd crafts men, buyers or marchantes in any other place, then in the sayd citie of Norwich or suburbes of the same, the one halfe thereof to the Q. & the other halfe to such person or persons as shal seyse the same, so y^e the sayd woosteds brought to the sayd citie of

of Norwich to be shorne, died, coloured and calendered without coun or craft of any of the sayd inhabitants & merchants, may be shorne, died, couloured, and calendered, at & by as conuenient price, and in as ready wise as the sayd inhabitants of Linne or Yarmouth, and marchants, buyers or other of the said City or countie hath had in times past, or hereafter shall haue, and also that euery of them so bringing their said worsteds to the same Citie for to be shorne, dyed, coloured, and calendered, be reasonably and lawfully entreated. 14.H.8.3.26.H.8.16.

9 ¶ Euery peece of worsted shalbe pursuing through the peece of lawful making, good, and conuenient stuffe, & that holde the length, & breadth, as the assise was wont to be of old time, rightfully accustomed by, Beds of the greatest assise xiiii. yards largely in length, & iii. yards largely in breadth, and beds of the meane assise xii. yards in length, & iii. yards in breadth, and beds of the least assise x. yards in length, & ii. yards & a halfe in breadth, & clothes called Monkes clothes xii. yards in length at y least & five quarters in breadth, and clothes called channon clothes of the one assise vi. yards in length, & ii. yards in breadth, & of the other assise v. yards in length, & vii. quarters in breadth, & double motlies vii. yards in length, and v. quarters in breadth, and single motlies vi. yards in length, and v. quarters in breadth, & double worsted x. yards in length, and v. quarters in breadth, and the halfe double worsted vi. yards in length, and v. quarters in breadth, & the roll of worsted xxx. yards in length, and halfe a yard in breadth, and no lambes woll shalbe put in any of the said worsteds, and the wardens of the craft of worsted weauers of the Citie of Norwich and Countie of Norfolke, and euery of them for the time being, haue power to seise all such clothes and stuffe being defectiue, And the Mayor of Norwich, and Steward of the Duchie of Lancaster within the sayd countie of Norfolke and euery of them, by twelue of the discreete artificers of the sayde Citie and countie haue power at all times to enquire, heare, and determine of all such as do against the said ordinances within the sayde citie or countie. 7.Ed.4.1.

The length & breadth of worsted & motley.

¶ In the foresayd Statute of 14.H.8.26.H.8.& 7.Ed.4. there be seuerall prouisions made for Wardens of worsted weauers, to be yeerely elected in Norwich, Linne, and Yarmouth, and appoynting where, when, and before whom they shall take their Othes, what wares they shall search and seale, & what they may seise, and what fees and auctoritie in eche respect they shall haue, by what names they may sue or be sued, and what forf. they shall make for any offence committed, or duetic omitted, and by whom & what meanes those forfeitures shalbe leuied,

1 Who may buy worsted yarne, sponne in Norwich, or in the countie of Norfolk, S. Yarne. 1.

2 That worsted yarne sponne in England, shal not be transported beyond the seas. S. Yarne. 2.

3 What Prentices worsted makers dwelling in Linne, and great Yarmouth may take. L. Labourers. 32.

¶ Wrecke of the Sea.

Which shalbe
said shipwreck,
& which not.

Where a man, a dogge, or a cat escape quicke out of the shipp, such ship nor barge, nor any thing win them shalbe adiudged wrecke, but the goods shalbe saued & kept by view of the sherifes, Coroner, or the Queenes bailife, and deliuered into the handes of such as are of the towne where the goods were found, so that if any sue for those goods, and after proue that they were his or his masters, or perished in his keeping within a yere & a day, they shalbe restored to him without delay, and if not, they shall remayne to the Q. and be seised by the sherifes, Coroners, & bailifes of the towne, which shall aunswere, before the Iustices of the wrecke, belonging to the Q. And where wrecke belongeth to another then to the Q. he shal haue it in like manner, and he that otherwise doth, & thereof is attainted, shalbe awarded to prison, and make fine at the Q. pleasure, and shall yeelde damages also. And if a bailife doe it, and it be disallowed by his Lord, & the Lord wil not discharge him thereof, the bailife shal answere, if he haue whereof, and if he hath not whereof, the Lord shall deliuer his bailifes body to the Queene. West. 1. 3. Ed. 1. 4.

1 That a coroner shal enquire of the wrecke of the sea, & the price thereof, and deliuer it to the townes to aunswere. S. Coroners. 11.

2 That the Q. by her prerogatiue shall haue the wrecke of the sea. S. Prerogatiue. 12.

¶ Yarne and Thrummes.

Who may
buy worsted
yarne in Nor-
folk or Nor-
wich.

No person shall buy, nor cause to be bought within the Citie of Norwich, or countie of Norf. any Yarne called worsted yarne, the which shalbe sponne within the sayd citie or Countie, but onely weauers, or other artificers the which shall weaue, or otherwise worke or cause to be wouen or wrought the said yarne in the sayd Citie of Norwich, or els where within the said countie of Norf. vpon paine of forf. for euery pound weight of worsted yarne so bought, and not wouen or wrought, as is aforesaid xls. But it is lawfull to euery Hatmaker, dwelling within the Citie of Norwich, to buy such of the said worsted yarne, as is called and knowen by the name of middle Uffe yarne, as they haue heretofore vled to do, so that the said middle Uffe yarne so bought be wrought in hats, or imployed to hatmakers within the sayde

Middle Uffe
yarne.

sayde cite. 33. H. 8. 16. 1. Ed. 6. 6. 5. Ed. 6. 7.

2 ¶ If any person do shippe or couey, or cause to be shipped to con-
uey beyond the sea, or els do carie or cause to be caried beyond the sea
any yarne called worsted yarne, not wrought or made in cloth, so that
such yarne be sponne or made within England, then he shall forf. for e-
uery pound of worsted yarne so shipped, conueyed, or caried. xl. s. 33.
H. 8. 16. 1. Ed. 6. 6. 5. Ed. 6. 7.

No worsted
yarne shalbe
transported.

3 ¶ Whosoever doeth carrie out of the Realme any Thrummes
or wollen yarne, vnder the colour of Thrummes, shal forf. the double
value of the same. 8. H. 6. 23.

No thrummes
shalbe trans-
ported.

4 ¶ No man shall buy yarne of wooll, called wollen yarne, if hee
will not make cloth thereof, vpon paine to forf. the same yarne, and
foure folde damages, to haue two yerres imprisonment, and to make
fine at the Queenes pleasure. 8. H. 6. 5.

None shal buy
wollen yarne
but to make
cloth thereof.

1 That no woollen yarne shall be transported, but which is
wrought within this Realme. S. Draperie. 105.

2 That none shall buy coloured yarne but in open market, S. Dra-
perie. 74.

3 That the weauer shal put in all the yarne to the cloth, or restore
it, S. Draperie. 80.

FINIS.

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E. J. M.